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Regulations

TITLE 10—ARMY: WAR DEPARTMENT

Chapter IX—Transport

PART 94—PRIORITIES FOR AIR TRANSPORTATION¹

Sec.

- 94.1 Office of Military Director of Civil Aviation.
- 94.2 Priority for air transportation.
- 94.3 Priority classifications and identifications.
- 94.4 By whom priorities authorized.
- 94.5 Procedure to secure priority.
- 94.6 Air priority control points.
- 94.7 Directives.
- 94.8 Return from overseas.

AUTHORITY: §§ 94.1 to 94.8 inclusive, issued under sec. 1, 39 Stat. 645; 10 U.S.C. 1361, and E.O. No. 8974, 6 F.R. 6441.

§ 94.1 *Office of Military Director of Civil Aviation.* (a) Under authority contained in Executive Order No. 8974, dated December 13, 1941, there has been established under the immediate direction of the Chief of the Army Air Forces an Office of the Military Director of Civil Aviation to function under the Commanding General, Army Air Forces.

(b) Pursuant to War Department instructions dated March 2, 1942, the responsibilities for establishing priorities of space assignments for personnel and cargo on civil air transport formerly charged to the Assistant Chief of Staff, G-4, were transferred to the Chief of Transportation Service, Services of Supply. Within the office of the Military Director of Civil Aviation is hereby established the Air Priorities Branch of the Air Division, Office of the Chief of Transportation Service, charged with responsibility for the performance of these duties. [Par. 1]

¹ §§ 94.1 to 94.3 (7 F.R. 943) are superseded. The regulations contained in §§ 94.1 to 94.8 inclusive, are also contained in Cir. 168, W.D., June 1, 1942, the particular paragraph being shown in brackets at the end of sections.

§ 94.2 *Priority for air transportation.* (a) Priority for air transportation will be extended to and only to:

- (1) Personnel engaged upon essential war work, including members of the armed forces, other employees of the Government, representatives of allied Governments and civilian personnel.
- (2) Essential war materials.

(b) These priorities will be construed very strictly and will not include usual inspection trips except by highest officials engaged in the war effort. All persons who can travel to destination by train will do so except in real emergencies. Merely because an individual is a member of the armed forces or is engaged in war work will not in itself entitle him to the use of air transport. [Par. 2]

§ 94.3 *Priority classifications and identifications.* General classifications for priority are shown below and will normally take precedence in the order listed. However, the Chief of Transportation Service, Services of Supply, War Department, will have authority to change the priority classification assigned any individual or cargo movement when such reclassification appears to be to the best interest of the national war effort and his decision will be final. In such cases, the importance and urgency of the mission to be accomplished in connection with the war effort will determine the priority assigned the individual or shipment for air transportation.

(a) *Class 1—(1) Personnel.* Personnel of the White House or others for whom priority air transportation is directed for accomplishment of a particular mission by the President, the Secretary of War, or the Secretary of the Navy.

(2) *Identification.* Priority certificate (see § 94.5 (b)) giving classification No. 1; or air ticket marked "Priority Class 1;" or direct instructions from the Chief of Transportation Service, Services of Supply, by letter, telegram, or telephone (no certificate required).

(b) *Class 2—(1) Personnel.* Airplane pilots of the ferrying commands of the Army, Navy, and Marine Corps traveling

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under orders issued by these commands or their subordinate unit commanders, their adjutants or operations officers, when such orders specifically direct travel by military or fastest available commercial aircraft. This priority will authorize 100 pounds of baggage per passenger, including both free and excess baggage.

(2) *Identification.* Orders which identify the passengers as ferrying command pilots and which direct travel by "military or fastest available commercial aircraft." If traveling under secret orders the pilots will present a priority certificate (see § 94.5 (b)) giving classification No. 2, and duly authenticated by unit commanders, adjutants, or operations officers of the ferrying commands.

(c) *Class 3—(1) Personnel.* Military personnel (Army, Navy, Marine Corps, Coast Guard, and allied military personnel) or other persons whose air travel is specifically ordered by the military authorities.

(2) *Identification.* Military special orders (not merely an air transportation request or authorization) which include the phrase "TD by Air" (travel directed by air); or priority certificate (see § 94.5 (b)) marked priority class 3; or direct instructions from the Chief of Transportation Service by letter, telegram, or telephone (no certificate required).

(d) *Class 4—(1) Personnel.* Civilian personnel for whom emergency air travel is essential to expedite war production, construction, or other activities in connection with the war program.

(2) *Identification.* Priority certificate (see § 94.5 (b)) marked classification No. 4; or direct instructions from the Chief of Transportation Service by letter, telegram, or telephone (no certificate required).

(e) *Class 5—(1) War materials.* Army and Navy equipment, ammunition, supplies, and materials essential to the war effort specifically ordered moved by priority air transportation by the War Department (Chief of Transportation Service, Services of Supply) or a branch office of the Chief of Transportation Service.

(2) *Identification.* Direct instructions by letter, telegram, or telephone from the Chief of Transportation Service, Services of Supply, or a branch office of the Chief of Transportation Service, or a priority label or stamp. [Par. 3]

§ 94.4 *By whom priorities may be authorized—(a) Class 1 priority.* President of the United States; Secretary of War; Secretary of the Navy; Chief of Transportation Service, Services of Supply; or officers in charge of air priority control offices of the Chief of Transportation Service.

(b) *Class 2 priority.* Commanders of airplane pilots ferrying commands, their subordinate unit commanders, their adjutants, and operations officers.

(c) *Class 3 and 4 priorities.* Commanding officers of the armed forces who are authorized to issue travel orders; the Chief of Transportation Service, Services of Supply; and officers in charge of air priority control offices established by the Chief of Transportation Service.

(d) *Class 5 priority.* Chief of Transportation Service, Services of Supply; and officers in charge of air priority control offices established by the Chief of Transportation Service. [Par. 4]

§ 94.5 *Procedure to secure priority.* (a) Military personnel traveling under special orders directing travel by air for the accomplishment of an emergency mission, upon presentation of special orders to the air lines, will be automatically placed in class 3 air priority. Such orders will contain a specific directive as follows:

TD by air from _____ to _____ and return is necessary for the accomplishment of an emergency war mission.

(b) Military or civilian personnel described under class 3 above, upon presentation of a certificate in the form shown below properly authenticated by an Army officer authorized to issue travel orders or by an Army officer specifically authorized by the Chief of Transportation Service to sign priority requests, will also automatically be placed in class 3 air priority.

PASSENGER AIR PRIORITY CERTIFICATE

PURSUANT TO AUTHORITY OF THE CHIEF OF TRANSPORTATION SERVICE, SERVICES OF SUPPLY, WAR DEPARTMENT

Air Priority Classification No. _____ is assigned to _____ of _____

_____ for the _____ (Business or governmental connection) travel described below, which is in the interest of _____ (Government department or agency)

TIME REQUIREMENT

From: _____ Must reach destination by
(Origin)

(Date and time)

This travel and the priority assigned thereto is necessary to the successful prosecution of the war effort.

Headquarters or Priority office, and place at which issued:

Date: _____

Signature _____

Grade _____

Title _____

(c) In the event the local air lines advise that schedule flight for travel by the class 3 priority is booked to capacity with passengers of higher priority classifications, and the mission is of such importance to the national war effort that the individual performing the travel is of the opinion that a higher priority should be granted, he may request higher priority by contacting the Air Priority Division, Office of the Chief of Transportation Service, room 5317, Commerce Building, Washington, D. C., telephone Executive 2460, extension 1240, or such branch offices of the Chief of Transportation Service as may be established, submitting the following information:

(1) Mission.

(2) Origin and destination of travel.

(3) Latest time of arrival of passenger at destination which will accomplish the mission.

(4) Name, grade, and organization of military passengers, or name, occupation, and employer of civilian passenger.

(5) Reference to military special orders directing air travel or to priority certificate giving headquarters, name, and address of issuing authority.

(d) Request for space for movements of small groups of troops (21 or less), except airplane pilots of ferrying commands, traveling as a unit, and requiring passenger space of one airplane or less, to be moved by scheduled carrier, will be submitted to the Air Priority Division, Office of the Chief of Transportation Service, room 5317, Commerce Building, Washington, D. C., telephone Executive 2460, extension 1240, or such branch offices as may be established, giving the following information:

(1) Number of individuals to be accommodated.

(2) Origin and destination of travel.

(3) Reason which necessitates air transportation. If the request is approved, the air priority will be established with the air line through the Air Transport Association by the Office of the Chief of Transportation Service.

(e) Requests for priority for cargo shipments by scheduled air carriers will be submitted to the Air Priority Division, Office of the Chief of Transportation Service, room 5317, Commerce Building, Washington, D. C., telephone Executive 2460, extension 1240, or to such air priority control offices as may be established by the Chief of Transportation Service by letter, telegraph, or telephone, giving the following information:

(1) Origin and destination of cargo.

(2) Latest arrival at destination which will accomplish the purpose of the shipment.

(3) General description of commodity, number of packages, dimensions, and weights of each package.

(4) Consignee and consignor.

(5) Reason that necessitates shipment by air.

(f) When passenger travel or cargo shipments, or a combination of both, involve the chartering of airplanes from civil air lines, requests for such charter will be submitted to the Air Priority Division, Office of the Chief of Transportation Service, giving the detailed information required by paragraphs (d) and (e) of this section.

(g) Neither the office of the Military Director of Civil Aviation nor the office of the Air Priority Division, Office of the Chief of Transportation Service, will act as reservation agencies for the transportation of either passenger or cargo shipments. After the priority is established, the local shipping officer will contact the air line and make the necessary reservations for passengers or cargo, or complete the details of the charter in accordance with instructions issued by the Chief of Transportation Service.

(h) The local representative of the Air Transportation Association in each case is charged with the coordination of priorities and the assignment of space on air carriers in accordance with the priorities received. [Par. 5].

§ 94.6 *Air priority control points.* The Chief of Transportation Service will establish branch offices to be designated as air priority control points at localities throughout the United States where air traffic and air priorities require such control points in order to expedite action on priorities. The officer in charge of the air priority control point will perform the duties prescribed by the Chief of Transportation Service. [Par. 6]

§ 94.7 *Directives.* Military personnel will conform to the directives governing air transportation issued by the Military Director of Civil Aviation. [Par. 7]

§ 94.8 *Return from overseas.* Oversea department, base, and theater commanders will establish priorities for return of passengers and cargo on flights originating within their command. [Par. 8]

[SEAL]

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-5660; Filed, June 10, 1942;
2:41 p. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 240—RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

REPORTS FILED BY MANAGEMENT INVESTMENT COMPANIES

The Securities and Exchange Commission, acting pursuant to authority conferred on it by the Securities Exchange Act of 1934, particularly sections 13, 15 (d) and 23 (a) thereof, and deeming such action necessary and appropriate

in the public interest, and for the protection of investors, and necessary for the execution of the functions vested in it by that Act, hereby takes the following action:

I. Amendment of § 240.13a-2 [Rule X-13A-2]

The paragraph of § 240.13a-2 [Rule X-13A-2] under the caption "Form N-30A-1 for management investment companies" is amended to read as follows:

§ 240.13a-2 *Forms for annual reports.*

Form N-30A-1 for management investment companies. This form shall be used for annual reports of management investment companies registered under the Investment Company Act of 1940, except those which issue periodic payment plan certificates.

II. Amendment of § 240.13a-3 [Rule X-13A-3]

The paragraph of § 240.13a-3 [Rule X-13A-3] under the caption "Form N-30B-1 for management investment companies" is amended to read as follows:

§ 240.13a-3 *Quarterly reports of investment companies.*

Form N-30B-1 for management investment companies. This form shall be used for quarterly reports of management investment companies except those which issue periodic payment plan certificates.

III. Amendment of § 240.15d-2 [Rule X-15D-2]

The paragraph of § 240.15d-2 (Rule X-15D-2) under the caption "Form N-30A-1 for management investment companies" is amended to read as follows:

§ 240.15d-2 *Forms for annual reports of registrants under Securities Act of 1933.*

Form N-30A-1 for management investment companies. This form shall be used for annual reports pursuant to section 15 (d) of the Securities Exchange Act of 1934 (Sec. 15, 48 Stat. 895; sec. 3, 49 Stat. 1377; 15 U.S.C. 78o) of management investment companies registered under the Investment Company Act of 1940, except those which issue periodic payment plan certificates.

IV. Amendment of § 240.15d-5 [Rule X-15D-5]

The paragraph of § 240.15d-5 (Rule X-15D-5) under the caption "Form N-30B-1 for management investment companies" is amended to read as follows:

§ 240.15d-5 *Quarterly reports of investment companies.*

Form N-30B-1 for management investment companies. This form shall be used for quarterly reports pursuant to section 15 (d) of the Securities Exchange Act of 1934 (Sec. 15, 48 Stat. 895; sec. 3, 49 Stat. 1377, 15 U.S.C. 78o) of management investment companies except those which issue periodic payment plan certificates.

Effective June 16, 1942.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-5537; Filed, June 16, 1942;
2:40 p. m.]

PART 270—RULES AND REGULATIONS, INVESTMENT COMPANY ACT OF 1940

FORMS FOR DETAILED REGISTRATION STATEMENTS OF INVESTMENT COMPANIES

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Investment Company Act of 1940, particularly sections 8 (b), 8 (d), 30 (a), 30 (b) (1), 30 (c), 38 (a) and 38 (b) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors, and necessary for the execution of the functions vested in it by that Act, hereby takes the following action:

I. Amendment of § 270.8b-2 [Rule N-8B-2]

Section 270.8b-2 [Rule N-8B-2] is amended to read as follows:

§ 270.8b-2 *Forms for registration statements of registered investment companies.* The following forms are hereby prescribed as the forms for registration statements which shall be filed by registered investment companies pursuant to section 8 (b) of the Investment Company Act of 1940 (Sec. 8 (b), 54 Stat. 804; 15 U.S.C. 80a-8):

(a) *Form N-8B-1 for management investment companies.* This form shall be used by all management investment companies except those which issue periodic payment plan certificates.

(b) *Form N-8B-2 for unit investment trusts currently issuing securities.* This form shall be used by unit investment trusts which are currently issuing securities, including unit investment trusts which are issuers of periodic payment plan certificates and unit investment trusts of which a management investment company is the sponsor or depositor.

II. Amendment of § 270.30a-2 [Rule N-30A-2]

The paragraph of § 270.30a-2 (Rule N-30A-2) under the caption "Form N-30A-1 for registered management investment companies" is amended to read as follows:

§ 270.30a-2 *Form for annual report of registered investment company.* * * *

Form N-30A-1 for registered management investment companies. This form shall be used by all registered management investment companies except those which issue periodic payment plan certificates.

III. Amendment of § 270.30b1-1 [Rule N-30B1-1]

The paragraph of § 270.30b1-1 (Rule N-30B1-1) under the caption "Form N-30B-1 for registered management investment companies" is amended to read as follows:

§ 270.30b1-1 *Form for quarterly report of registered investment companies.* * * *

Form N-30B-1 for registered management investment companies. This form shall be used by all registered management investment companies except those

which issue periodic payment plan certificates.

Effective June 16, 1942.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-5658; Filed, June 16, 1942;
2:40 p. m.]

PART 274—FORMS, INVESTMENT COMPANY ACT OF 1940

FORMS PRESCRIBED FOR DETAILED REGISTRATION STATEMENT OF INVESTMENT COMPANIES

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Investment Company Act of 1940, particularly sections 8 (b), 8 (d), 30 (a), 30 (b) (1), 30 (c), 38 (a) and 38 (b) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors, and necessary for the execution of the functions vested in it by the said Acts, hereby takes the following action:

I. Amendment of Form N-8B-1

(1) The first paragraph of Instruction 1 of the "Instructions for Form N-8B-1" is amended to read as follows:

This form shall be used as the form for registration statements to be filed, pursuant to section 8 (b) of the Investment Company Act of 1940, by all management investment companies except those which issue periodic payment plan certificates.

(2) Form N-8B-1 is further amended by deleting paragraph (j) of Instruction 2 of the "Instructions for Form N-8B-1" and inserting in lieu thereof the following:

(j) *Time for filing.* (1) Subject to the provisions of paragraph (2) below, any management investment company required to use this form shall file a registration statement with the Commission within three months after the filing of a notification of registration pursuant to section 8 (a) of the Act, provided that if the fiscal year of any such company ends within such three months period, its registration statement may be filed at any time within three months after the end of such fiscal year.

(2) Any management investment company which is the sponsor or depositor of a company issuing periodic payment plan certificates and which filed a notification of registration pursuant to section 8 (a) of the Act prior to May 31, 1942, shall file a registration statement with the Commission on or before August 31, 1942, provided that if the fiscal year of any such company ends on a date subsequent to May 31, 1942 but prior to September 1, 1942, its registration statement may be filed at any time within three months after the end of such fiscal year.

II. Amendment of Form N-8B-2

(1) The first paragraph of Instruction 1 of the "Instructions for Form N-8B-2" is amended to read as follows:

This form shall be used as the form for registration statements to be filed, pursuant to section 8 (b) of the Investment Company Act of 1940, by unit investment trusts which are currently issuing securities, including unit investment trusts which are issuers of periodic payment plan certificates and unit investment trusts of which a management investment company is the sponsor or depositor.

(2) Form N-8B-2 is further amended by deleting paragraph (j) of Instruction 2 of the "Instructions for Form N-8B-2" and inserting in lieu thereof the following:

(j) *Time for filing.* (1) Subject to the provisions of paragraph (2) below, any unit investment trust required to use this form shall file a registration statement with the Commission within three months after the filing of a notification of registration pursuant to section 8 (a) of the Act: *Provided*, That if the fiscal year of any such trust ends within such three months period, its registration statement may be filed at any time within three months after the end of such fiscal year.

(2) Any unit investment trust of which a management investment company is the sponsor or depositor and which filed a notification of registration pursuant to section 8 (a) of the Act prior to May 31, 1942 shall file a registration statement with the Commission on or before August 31, 1942: *Provided*, That if the fiscal year of any such trust end on a date subsequent to May 31, 1942 but prior to September 1, 1942, its registration statement may be filed at any time within three months after the end of such fiscal year.

III. Amendment of Form N-30A-1

Instructions 1 of the "Instructions for Form N-30A-1" is amended to read as follows:

1. *Rule as to use of form.* This form shall be used for annual reports to be filed, pursuant to section 13 or 15 (d) of the Securities Exchange Act of 1934 and pursuant to section 30 (a) of the Investment Company Act of 1940, by all management investment companies registered under the latter Act, except those which issue periodic payment plan certificates.

IV. Amendment of Form N-30B-1

Instruction 1 of the "Instructions for Form N-30B-1" is amended to read as follows:

1. *Rule as to use of form.* This form shall be used for quarterly reports to be filed, pursuant to section 13 or 15 (d) of the Securities Exchange Act of 1934 and pursuant to section 30 (b) (1) of the Investment Company Act of 1940, by all management investment companies registered under the latter Act, except those which issue periodic payment plan certificates.

Effective June 16, 1942.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-5659; Filed, June 16, 1942;
2:40 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1473]

PART 321—MINIMUM PRICE SCHEDULE,

DISTRICT NO. 1

RELIEF GRANTED

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 1 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 1.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this

Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 1; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows:

Commencing forthwith § 321.7 (Alphabetical list of code members) is amended by adding thereto Supplement R, and § 321.24 (General prices) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof: Commencing forthwith, the shipping points appearing in the aforesaid Supplement R for Mine Index Nos. 567 and 3084 shall be effective in place of the shipping points heretofore established for these mines; and commencing forthwith the freight origin group number appearing in the aforesaid Supplement R for Mine Index No. 567 shall be effective in place of the freight origin group number heretofore assigned to this mine.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: June 6, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No. 1 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 Alphabetical list of code members—Supplement R

(Alphabetical listing of code members having railway loading facilities, showing price classifications by size group Nos.)

Mine Index No.	Code member	Mine name	Sub- district No.	Exam	Shipping point	Railroad	Freight origin Group No.	1	2	3	4	5
3220	Cambria Fuel Company.	Cambria #1	37	D	Derry, Pa.	H&O	100	B	B	B	B	O
3221	Clark, J. O. Hays Furber Ship, (Auron P. Clark)	Superior #1	12	B	Medora, Pa.	PRR	50	()	()	()	()	F
746	Fillinger & Gatch (John Gatch)	Gatch Coal Co.	0	F	Atalia, Pa.	PRR	50	()	()	()	()	()
819	Fenstermaker, Howard	Markon	5	B	Sprangle Mills, Pa.	P&S	110	()	()	()	()	()
1450	Griffith Estate Mine, E. W.	L. W. Griffith Estate	23	B	Heversville, Pa.	J&S	48	()	()	()	()	()
2034	Holopple, D. B. (Victoria Coal Co.)	Victoria #1	32	C	Kortholt, Pa.	NYC	100	()	()	()	()	()
3201	Hopkins, O. P.	Gonzales #1	9	B	Pittsburgh, Pa.	NYC	44	()	()	()	()	()
1253	Kaczub, Casper	Kaczub #1	8	A	Pittsburgh, Pa.	NYC	44	()	()	()	()	()
3253	Kaczub, Casper	Kaczub #2	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3254	Kaczub, Casper	Kaczub #3	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3274	Kaczub, Casper	Kaczub #4	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3275	Kaczub, Casper	Kaczub #5	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3276	Kaczub, Casper	Kaczub #6	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3277	Kaczub, Casper	Kaczub #7	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3278	Kaczub, Casper	Kaczub #8	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3279	Kaczub, Casper	Kaczub #9	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3280	Kaczub, Casper	Kaczub #10	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3281	Kaczub, Casper	Kaczub #11	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3282	Kaczub, Casper	Kaczub #12	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3283	Kaczub, Casper	Kaczub #13	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3284	Kaczub, Casper	Kaczub #14	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3285	Kaczub, Casper	Kaczub #15	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3286	Kaczub, Casper	Kaczub #16	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3287	Kaczub, Casper	Kaczub #17	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3288	Kaczub, Casper	Kaczub #18	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3289	Kaczub, Casper	Kaczub #19	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3290	Kaczub, Casper	Kaczub #20	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3291	Kaczub, Casper	Kaczub #21	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3292	Kaczub, Casper	Kaczub #22	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3293	Kaczub, Casper	Kaczub #23	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3294	Kaczub, Casper	Kaczub #24	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3295	Kaczub, Casper	Kaczub #25	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3296	Kaczub, Casper	Kaczub #26	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3297	Kaczub, Casper	Kaczub #27	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3298	Kaczub, Casper	Kaczub #28	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3299	Kaczub, Casper	Kaczub #29	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3300	Kaczub, Casper	Kaczub #30	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3301	Kaczub, Casper	Kaczub #31	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3302	Kaczub, Casper	Kaczub #32	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3303	Kaczub, Casper	Kaczub #33	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3304	Kaczub, Casper	Kaczub #34	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3305	Kaczub, Casper	Kaczub #35	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3306	Kaczub, Casper	Kaczub #36	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3307	Kaczub, Casper	Kaczub #37	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3308	Kaczub, Casper	Kaczub #38	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3309	Kaczub, Casper	Kaczub #39	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3310	Kaczub, Casper	Kaczub #40	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3311	Kaczub, Casper	Kaczub #41	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3312	Kaczub, Casper	Kaczub #42	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3313	Kaczub, Casper	Kaczub #43	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3314	Kaczub, Casper	Kaczub #44	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3315	Kaczub, Casper	Kaczub #45	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3316	Kaczub, Casper	Kaczub #46	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3317	Kaczub, Casper	Kaczub #47	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3318	Kaczub, Casper	Kaczub #48	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3319	Kaczub, Casper	Kaczub #49	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3320	Kaczub, Casper	Kaczub #50	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3321	Kaczub, Casper	Kaczub #51	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3322	Kaczub, Casper	Kaczub #52	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3323	Kaczub, Casper	Kaczub #53	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3324	Kaczub, Casper	Kaczub #54	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3325	Kaczub, Casper	Kaczub #55	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3326	Kaczub, Casper	Kaczub #56	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3327	Kaczub, Casper	Kaczub #57	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3328	Kaczub, Casper	Kaczub #58	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3329	Kaczub, Casper	Kaczub #59	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3330	Kaczub, Casper	Kaczub #60	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3331	Kaczub, Casper	Kaczub #61	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3332	Kaczub, Casper	Kaczub #62	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3333	Kaczub, Casper	Kaczub #63	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3334	Kaczub, Casper	Kaczub #64	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3335	Kaczub, Casper	Kaczub #65	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3336	Kaczub, Casper	Kaczub #66	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3337	Kaczub, Casper	Kaczub #67	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3338	Kaczub, Casper	Kaczub #68	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3339	Kaczub, Casper	Kaczub #69	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3340	Kaczub, Casper	Kaczub #70	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3341	Kaczub, Casper	Kaczub #71	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3342	Kaczub, Casper	Kaczub #72	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3343	Kaczub, Casper	Kaczub #73	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3344	Kaczub, Casper	Kaczub #74	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3345	Kaczub, Casper	Kaczub #75	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3346	Kaczub, Casper	Kaczub #76	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3347	Kaczub, Casper	Kaczub #77	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3348	Kaczub, Casper	Kaczub #78	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3349	Kaczub, Casper	Kaczub #79	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3350	Kaczub, Casper	Kaczub #80	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3351	Kaczub, Casper	Kaczub #81	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3352	Kaczub, Casper	Kaczub #82	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3353	Kaczub, Casper	Kaczub #83	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3354	Kaczub, Casper	Kaczub #84	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3355	Kaczub, Casper	Kaczub #85	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3356	Kaczub, Casper	Kaczub #86	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3357	Kaczub, Casper	Kaczub #87	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3358	Kaczub, Casper	Kaczub #88	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3359	Kaczub, Casper	Kaczub #89	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3360	Kaczub, Casper	Kaczub #90	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3361	Kaczub, Casper	Kaczub #91	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3362	Kaczub, Casper	Kaczub #92	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3363	Kaczub, Casper	Kaczub #93	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3364	Kaczub, Casper	Kaczub #94	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3365	Kaczub, Casper	Kaczub #95	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3366	Kaczub, Casper	Kaczub #96	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3367	Kaczub, Casper	Kaczub #97	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3368	Kaczub, Casper	Kaczub #98	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3369	Kaczub, Casper	Kaczub #99	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3370	Kaczub, Casper	Kaczub #100	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3371	Kaczub, Casper	Kaczub #101	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3372	Kaczub, Casper	Kaczub #102	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3373	Kaczub, Casper	Kaczub #103	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3374	Kaczub, Casper	Kaczub #104	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3375	Kaczub, Casper	Kaczub #105	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3376	Kaczub, Casper	Kaczub #106	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3377	Kaczub, Casper	Kaczub #107	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3378	Kaczub, Casper	Kaczub #108	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3379	Kaczub, Casper	Kaczub #109	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3380	Kaczub, Casper	Kaczub #110	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3381	Kaczub, Casper	Kaczub #111	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3382	Kaczub, Casper	Kaczub #112	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3383	Kaczub, Casper	Kaczub #113	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3384	Kaczub, Casper	Kaczub #114	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3385	Kaczub, Casper	Kaczub #115	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3386	Kaczub, Casper	Kaczub #116	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3387	Kaczub, Casper	Kaczub #117	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3388	Kaczub, Casper	Kaczub #118	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3389	Kaczub, Casper	Kaczub #119	8	C	Pittsburgh, Pa.	PRR	45	()	()	()	()	()
3390	Kaczub,											

FOR TRUCK SHIPMENTS

§ 321.24 General prices—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Subdistrict No.	County	Seam	All lump coal double screened, top size 2" and over	Double screened, top size 2" and under	Run of mine, mod-ified R/M	2" and under slack	3/4" and under slack
						1	2	3	4	5
Cambria Fuel Company.....	3559	Cambria #4.....	37	Somerset.....	D.....	285	240	240	230	215
Custer, Luther H.....	3160	Custer Coal Mine.....	40	Somerset.....	D.....	(*)	(*)	(*)	(*)	(*)
Ellinger & Getch (John Getch).....	746	Getch Coal Co.....	6	Jefferson.....	E.....	(*)	(*)	(*)	(*)	(*)
Hollis, Harold (Hollis Coal Co.).....	3560	Hollis #2.....	18	Oambria.....	D.....	(*)	(*)	(*)	(*)	(*)
Hopkins, O. P.....	3561	Gonzales #2.....	9	Clearfield.....	O.....	(*)	(*)	(*)	(*)	(*)
Kassab, Casper.....	3562	Kassab #7.....	8	Centre.....	H.....	(*)	(*)	(*)	(*)	(*)
Kassab, Casper.....	3563	Kassab #8.....	8	Clearfield.....	C.....	(*)	(*)	(*)	(*)	(*)
Kassab, Casper.....	3564	Kassab #9.....	8	Clearfield.....	C.....	(*)	(*)	(*)	(*)	(*)
Kassab, Casper.....	3565	Kassab #10.....	8	Clearfield.....	C.....	(*)	(*)	(*)	(*)	(*)
Lamkie Brothers (W. H. Lamkie).....	2701	Gaston.....	12	Indiana.....	E.....	(*)	(*)	(*)	205	195
Lamkie Brothers (W. H. Lamkie).....	2719	Gaston #1.....	12	Indiana.....	E.....	(*)	(*)	(*)	205	195
McGarvey Bros. (A. D. McGarvey).....	3566	McGarvey #2.....	18	Cambria.....	B.....	(*)	(*)	(*)	(*)	(*)
Miller Coal Co. (I. J. Helman).....	3496	Miller & Helman #1.....	29	Cambria.....	E.....	(*)	(*)	220	(*)	(*)
Miller Coal Co. (I. J. Helman).....	3497	Miller & Helman #2.....	29	Cambria.....	D.....	(*)	(*)	220	(*)	(*)
Morris & LaPolt (Joseph H. Morris).....	1801	Oak Hill.....	2	Cameron.....	Alton.....	245	(*)	(*)	(*)	200
Wallwork Coal Co. (Andrew C. Wallwork).....	3567	Hawthorn #2.....	4	Clarion.....	B.....	240	215	215	200	190
Yuhas, Gabor.....	3568	Cymbria #2.....	16	Cambria.....	E.....	(*)	(*)	225	(*)	(*)

*When shown under a Size Group Number, this symbol indicates coals previously classified for this size group.
 †When shown under a Size Group Number, this symbol indicates no classification effective for this size group.

[F. R. Doc. 42-5619; Filed, June 16, 1942; 11:30 a. m.]

[Docket No. A-1350]

PART 323—MINIMUM PRICE SCHEDULE,
DISTRICT NO. 3

RELIEF GRANTED

Findings of fact, conclusions of law, memorandum opinion and order in the matter of the petition of the Bituminous Coal Producers Board for District No. 3 for the establishment of price classifications and minimum prices for the coals of Mine Index Nos. 928, and 941, and for revision of certain price classifications and minimum prices for the coals of Mine Index Nos. 928, 937, and 941.

This proceeding was instituted upon an original petition filed with the Bituminous Coal Division on March 10, 1942, by the Bituminous Coal Producers Board for District No. 3 (hereinafter referred to as "District Board No. 3"), pursuant to section 4 II (d) of the Bituminous Coal Act of 1937. In its petition District Board No. 3 requests the establishment of price classifications and minimum prices for the coals of Mine Index Nos. 928 and 941, and the revision of certain price classifications and minimum prices now effective for the coals of Mine Index Nos. 928, 937 and 941.

The petition requested temporary relief. By Order of the Acting Director dated April 4, 1942, 7 F.R. 2651, temporary relief was granted as follows: The Schedule of Effective Minimum Prices for District No. 3 For All Shipments Except Truck was supplemented to include Price Classification "B" for the coals in Size Groups 11-16, inclusive, produced at Mine Index Nos. 928 and 941.

After due notice to interested persons, a hearing in this matter was held on April 28, 1942, before D. C. McCurtain, a duly designated Examiner of the Division, at a hearing room thereof in Washington, D. C. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses and otherwise be heard. Petitioner appeared.

At the conclusion of the hearing, the petitioner waived the preparation and filing of a report by the Examiner, and the record was thereupon submitted to the undersigned. The only witness who testified did so on behalf of the petitioner.

This proceeding involves consideration of proper price classifications for coals from the Pittsburgh Seam in District No. 3 produced at three mines. These three mines are the Davis Fork Mine, Mine Index No. 928, operated by the Davis Fork Coal Company; the Kingmont, Jr. Mine, Mine Index No. 941, operated by H. R. Hebb; and the Delphi Mine, Mine Index No. 937, operated by Walter Long. According to witness D. T. Buckley, Chairman of District Board No. 3, the price classifications and minimum prices now

¹Mine Index No. 941 was described in the petition as "Beech Hill Mine" operated by O. W. Stevens & Son. Evidence adduced at the hearing indicates that H. R. Hebb has been operating Mine Index No. 941 since March 1941. However, records of the Division reveal that Hebb's acceptance of the Code did not become effective until March 30, 1942, so that he cannot complain of the fact that copies of the petition and of the Notice of and Order for Hearing were sent to O. W. Stevens & Son rather than to him.

effective for coals produced at these three mines stem from the estimate formed by District Board No. 3 as to the qualities and market values of such coals before complete data were available. Proximate analyses representative of the coals produced at these mines made by District Board No. 3 since the establishment of the presently effective price classifications and minimum prices reveal that Delphi coals have a sulphur content above 1.35 per cent, whereas Davis Fork and Kingmont, Jr. coals are to be deemed low-sulphur coals with a sulphur content below 1.35 per cent. At present, however, the Delphi Mine is treated in the price schedule as a low-sulphur mine with a classification of "DE" in Size Groups 1 through 6, one of "DF" in Size Groups 7 through 10, and with a "B" classification in Size Groups 11 through 16. On the other hand, the Davis Fork and Kingmont, Jr. Mines are treated as high-sulphur mines with "F" classifications in Size Groups 1 through 10. These two mines have not been accorded price classifications in Size Groups 11 through 16, the size groups in which coals fit for by-product, retort, or water gas use are classified.

In order that the price schedules for all shipments except truck in District No. 3 may reflect the sulphur content and market values of the coals from these three mines, District Board No. 3 asks, first, that the price classification for Delphi coals in Size Groups 11-16, inclusive, be cancelled, and that a price classification "B" be established in these size groups for Davis Fork and Kingmont, Jr. coals. District Board No. 3 asks further that a classification of "F" signifying high-sulphur content, in Size Groups 1 through 10 be substituted for the classifications now effective in such size groups for Delphi coals, and that a classification of "DE" in Size Groups 1 through 6 and of "DF" in Size Groups 7 through 10 be substituted for those now established for Davis Fork and Kingmont, Jr. coals.

No objection has been made to granting the relief asked for. On the basis of uncontroverted evidence, I find that the establishment, cancellation and revision of price classifications and minimum prices, as suggested by District Board No. 3, will more accurately reflect sulphur content and market values of the coals produced at Mine Index Nos. 928, 937 and 941, and thus will further intra-district coordination. Accordingly, the relief asked for will effectuate the purposes of subsections (a) and (b) of section 4 II of the Act.

It is, therefore, ordered, That § 323.0 (Alphabetical list of code members) in the Schedule of Effective Minimum Prices for District No. 3 For All Shipments Except Truck be, and it hereby is, amended as follows:

1. By making permanent, effective forthwith, the temporary relief establishing price classification "B" in Size Groups 11-16, inclusive, for the coals produced at the Davis Fork Mine, Mine Index No. 928, and the Kingmont, Jr. Mine, Mine Index No. 941, for all shipments except truck, as set forth in Supplement R an-

nexed hereto and made a part hereof, and by assigning the corresponding minimum prices to such coals;

2. By the revision, effective forthwith, of the price classifications for the coals of the Davis Fork Mine, Mine Index No. 928, and the Kingmont, Jr. Mine, Mine Index No. 941, from Price Classification "F" in Size Groups 1-10, inclusive, to

Price Classifications "DE" in Size Groups 1-6, inclusive, and "DF" in Size Groups 7-10, inclusive, for all shipments except truck, as set forth in Supplement R annexed hereto and made a part hereof, and by assigning the corresponding minimum prices to such coals;

3. By the revision, effective forthwith, of the coals of the Delphi Mine, Mine

Index No. 937, from Price Classification "DE" in Size Groups 1-6, inclusive, and "DF" in Size Groups 7-10, inclusive, to Price Classification "F" in Size Groups 1-10, inclusive, for all shipments except truck, as set forth in Supplement R annexed hereto and made a part hereof, and by assigning the corresponding minimum prices to such coals;

4. By the cancellation, effective forthwith, of Price Classification "B" presently effective for the coals of the Delphi Mine, Mine Index No. 937, in Size Groups 11-16, inclusive.

Dated: June 4, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

District No. 3

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 323, Minimum Price Schedule for District No. 3 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 323.6 Alphabetical list of code members—Supplement R

(Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers)

Mine index No.	Code member	Mine name	Seam	Shipping point	Railroad	Freight origin group No.	Size group No.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
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928	Davis, Arthur (Davis Fork Coal Company, Inc., R.)	Davis Fork.....	Pittsburgh.....	Blagannon Jet., W. Va.	WM.....	63	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE	DE

Indicated no classification or price effective for this size group.

[F. R. Doc. 42-5622; Filed, June 16, 1942; 11:29 a. m.]

[Docket No. A-1440]

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

RELIEF GRANTED

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 10 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 10.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 10 for truck shipment; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed

necessary in order to effectuate the purposes of the Act:

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 330.25 (General prices in cents per net ton for shipment into all market areas) is amended by adding thereto Supplement T, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: June 4, 1942.
[SEAL] DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 10

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 330, Minimum Price Schedule for District No. 10 and supplements thereto.

FOR TRUCK SHIPMENTS

§ 330.25 General prices in cents per net ton for shipment into all market areas—
Supplement T

Code member index	Mine	High coal	Prices and size group Nos.															
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
SECTION No. 3 STARKE COUNTY																		
Charleson, Peter J.....	1677	Charleson #2.....	0	233	229	245	235	220	223	183	163	163	163	163	163	163	163	163
SECTION No. 4 PULTON COUNTY																		
Richard, Walter.....	1678	Richard #2.....	5	233	229	245	235	220	223	183	163	163	163	163	163	163	163	163
SECTION No. 5 ADAMS COUNTY																		
Berliner, August.....	1684	John Cunningham.....	2	233	229	245	235	220	223	170	163	163	163	163	163	163	163	163

[F. R. Doc. 42-5618; Filed, June 16, 1942; 11:29 a. m.]

[Docket No. A-1462]

PART 330—MINIMUM PRICE SCHEDULE,
DISTRICT No. 10

RELIEF GRANTED

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 10 for the establishment of price classifications and minimum prices for the coals of the Sunrise No. 2 Mine.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Sunrise No. 2 Mine (Mine Index No. 1225) of the Sunrise Coal Company (W. H. Johns), a code member in District No. 10, for all shipments except truck; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 10

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 330, Minimum Price Schedule for District No. 10 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 330.1 Alphabetical list of code members—Supplement R-I

Price group No.	Producer	Mine	Mine index No.	Freight origin group	Shipping point	Railroad
4	Sunrise Coal Co. (W. H. Johns).....	Sunrise No. 2.....	1225	134	Herrin, Ill.....	IO.

Mine Index No. 1225 shall be included in Price Group 4 and shall take the same f. o. b. mine prices as other mines in Price Group 4, Schedule No. 1, District No. 10, on all size groups and for shipment to all market areas and for all uses exclusive of railroad locomotive fuel: *Provided, however,* That these f. o. b. mine prices apply on board transportation facilities at Herrin, Illinois.

Further, size groups 1 to 6, inclusive, and 8 for all shipments except truck shall be identical with the price classifications and minimum prices heretofore established for the Forsyth Cartersville Coal Company, Mine Index No. 60, as reduced in Docket No. A-8, order dated February 6, 1941, 6 F.R. 841.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 330.10 Special prices—(a) Railroad locomotive fuel prices—Supplement R-II

Price group No.	Producer	Mine	Mine index No.	Freight origin group	Shipping point	Railroad
4	Sunrise Coal Co. (W. H. Johns).....	Sunrise No. 2.....	1225	134	Herrin, Ill.....	IO.

The railroad locomotive fuel prices shall be: mine run—\$2.15; screenings—\$1.70.
[F. R. Doc. 42-5621; Filed, June 16, 1942; 11:31 a. m.]

[Dockets Nos. A-191 and A-195]

PART 331—MINIMUM PRICE SCHEDULE,
DISTRICT No. 11

RELIEF GRANTED

Order amending memorandum opinion and order, approving and adopting, with modifications, the proposed findings of fact and proposed conclusions of law of the examiner and granting, in part, permanent relief in the matter of the petition of Maumee Collieries Company for revision of the effective minimum prices for Mine Index 68, District 11, by providing deductions in mine prices based upon differences in freight rates among District 11 mines for shipment to Market Areas 32, 33, and 35-38, inclusive; and of Bituminous Coal Producers Board for District No. 11 for revision of the effective minimum prices for District 11, by providing deductions in mine prices based upon differences in freight rates among District 11 mines for shipment to Market Areas 20, 21, and 30-38, inclusive.

The above-entitled proceedings were instituted by original petitions filed with this Division pursuant to section 4 II (d) of the Bituminous Coal Act of 1937. A final Order granting in part the relief sought was entered in this proceeding on November 15, 1941. The Order of November 15, 1941, 6 F.R. 6500, was amended by an Order of the Acting Director dated February 10, 1942, 7 F.R. 1489, granting temporary relief and conditionally providing for final relief. On May 5, 1942, District Board No. 11, the original petitioner in Docket No. A-195, filed a petition praying for a modification of the relief granted in the Order dated November 15, 1941, as amended by Order dated February 10, 1942.

In support of this petition the District Board alleged that the Order of the Director dated November 15, 1941, as amended February 10, 1942, granted permanent relief which permitted the Hill Coal Company, Horton Mine, Mine Index No. 43, located on the Evansville & Ohio Valley Railway, in Freight Origin Group No. 51, District No. 11, to adjust the effective minimum prices for its coals for shipment to Charlestown, Indiana, and Speed, Indiana, to the extent necessary to equalize its freight rate differences with other code members located in other freight origin groups; that the specific adjustment or deduction permitted on such shipments are set forth in detail in the "Supplement" annexed to and made a part of the Order dated February 10, 1942; that with respect to the destination of Charlestown, Indiana, the adjustment or deduction granted by the Order dated February 10, 1942, is predicated upon a freight rate effective prior to April 30, 1942; that effective April 30, 1942, the freight rate applicable from the Horton Mine of the Hill Coal Company, located on the Evansville & Ohio Valley Railway, Freight Origin Group No. 51,

was reduced 22 cents per ton from \$1.73¹ to \$1.51;² that said reduction in rate is published in Supplement 18 to Illinois Freight Association Tariff 9-C, Indiana, R.C. No. 129, I.C.C. No. 493, effective April 30, 1942; and that, therefore, the deduction of 32 cents for shipments to Charlestown, Indiana, shown for Freight Origin Group No. 51 in the afore-mentioned supplement annexed to the Order of February 10, 1942, is erroneous to the extent of 22 cents and that the said supplement should be corrected to allow a permissible absorption to Charlestown, Indiana, of 10 cents per ton in Freight Origin Group No. 51. The District Board also alleges that with respect to the destination of Speed, Indiana, no adjustments or deductions were granted by the Order of February 10, 1942, because there were no published through rates in effect from mines located on the Evansville & Ohio Valley Railway to Speed, Indiana; that effective April 30, 1942, the Evansville & Ohio Valley Railway has published a freight rate of \$1.51² from the Horton Mine of the Hill Coal Company, Mine Index No. 43, Freight Origin Group No. 51, to Speed, Indiana; that said rate is published in Supplement 18 to Illinois Freight Association Tariff 9-C, Indiana, R.C. No. 129, I.C.C. No. 493, effective April 30, 1942; that the lowest freight rate from any producing subdistrict to Speed, Indiana, is that in effect from the Princeton-Ayrshire Groups, namely, \$1.41;¹ that because of a difference of 10 cents which exists between the Princeton-Ayrshire freight rate to Speed, Indiana, and the freight rate of the Hill Coal Company in Freight Origin Group No. 51 to become effective on April 30, 1942, the permissible deduction for the Horton Mine, Mine Index No. 43, of the Hill Coal Company, in Freight Origin Group No. 51, on shipments to Speed, Indiana, should be corrected to read 10 cents.

It appears, therefore, that in order to effectuate the purposes of the Order of the Director dated November 15, 1941, in the above-entitled proceedings, that order should be modified so as to reflect the presently effective freight rates for Freight Origin Group No. 51 on shipments to Charlestown, Indiana, and Speed, Indiana, for the Horton Mine, Mine Index No. 43, of the Hill Coal Company. No petitions in opposition to the prayer of the District Board No. 11 have been filed and it appears that no parties will be injured by the requested modifications.

Now, therefore, it is ordered, That the part of the Order herein dated November 15, 1941, as modified in the Supplement R annexed to and made a part of the Order dated February 10, 1942, relating to permissible freight absorptions to Charlestown and Speed, Indiana, for

¹These figures include a 5-cent increase resulting from the decision in Ex Parte No. 148, Increased Railway Rates, Fares and Charges, I.C.C., March 2, 1942.

the Horton Mine, Mine Index No. 43, of the Hill Coal Company, Freight Origin Group No. 51, is deleted, and the Schedule marked "Supplement R", § 331.9 (*Adjustments in f. o. b. mine prices*), attached hereto and made a part hereof, is effective in its stead.

Dated: June 10, 1942.

[SEAL]

DAN H. WHEELER,
Acting Director.

EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 11

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No. 11 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 331.9 *Adjustments in f. o. b. mine prices*—Supplement R. Freight Origin Group Numbers and the amount of deductions for freight rate differences for coal shipped from mines included in each Freight Origin Group to destinations as listed below:

Destination	BC—30, 31, 32, 33, 34, 43, 41, 42, 43		LS—C3, C4, C5, C6, C7, C8, C9, 81		EV	
					41	42
Charlestown.....	17		67		10	22
Speed.....	17		67		10	22

[F. R. Dec. 42-5620; Filed, June 10, 1942; 11:31 a. m.]

[Docket No. A-1459]

PART 331—MINIMUM PRICE SCHEDULE, DISTRICT No. 11

RELIEF GRANTED

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 11 for the establishment of

price classification and minimum Prices for the coals of certain mines in District No. 11.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 11 for truck shipment.

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 331.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: June 6, 1942.

[SEAL]

DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 11

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No. 11 and supplements thereto.

FOR TRUCK SHIPMENTS

§ 331.24 *General prices in cents per net ton for shipment into all market areas*—Supplement T

Code member index	Mine Index No.	Mine	Exam	Prices and size group Nos.														
				1	2	3	4	5	6	7	8	9	10, 11, 12	13	14	15	16	
PARKE COUNTY																		
Wood, William (William Wood Coal Co.).	1310	Coke Oven.....	B	310	235	235	235	235	215	215	215	165	155	155	145	70		
VIGO COUNTY																		
Handlin, Jack.....	1322	Handlin Rib.....	S	212	235	235	235	235	215	210	170	170	170	165	135	125		

[F. R. Dec. 42-5610; Filed, June 16, 1942; 11:29 a. m.]

[Docket No. A-1425]

PART 332—MINIMUM PRICE SCHEDULE,
DISTRICT NO. 12

RELIEF GRANTED

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 12 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 12.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 12; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 332.2 (Alphab-

etical list of code members) is amended by adding thereto Supplement R, and § 332.24 (General prices in cents per net ton for shipment into all market areas) is amended by adding thereto Supplement T, which supplements are herein-after set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

No relief is granted herein as to the coals of Mines Nos. 2, 3, and 4 (Mine Index Nos. 812, 813 and 814) of Anderson-Whitehurst Mining Co., Inc., c/o R. J. Anderson, for the reason that no proper code acceptance has been received from this producer.

Dated: June 8, 1942.

[SEAL]

DAN H. WHEELER,
Acting Director.

[Docket No. A-1343]

PART 334—MINIMUM PRICE SCHEDULE,
DISTRICT NO. 14

RELIEF GRANTED

Memorandum opinion and order granting additional temporary relief and conditionally providing for additional final relief in the matter of the petition of District Board No. 14 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 14.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, was duly filed with the Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 14.

A reasonable showing of necessity having been made for the granting of the relief prayed for by the petitioner, except with respect to the coals of the Davis Mine of the S. & S. Coal Company (J. W. Sanders), an Order was issued on April 3, 1942, 7 F.R. 2815, granting the relief prayed for by the petitioner, except with respect to the coals of the Davis Mine. This exception was due to the fact that the records of the Division indicated that the coals of that mine had been classified and priced in General Docket No. 15 under the name of Economy Mine, Mine Index No. 30, of the Economy Coal Company (Garland Tinsley).

Additional data submitted to the Division, however, discloses that the Davis Mine, operated by the S. & S. Coal Company, is not the same mine that was operated by the Economy Coal Company, and that no price classifications or minimum prices have heretofore been established for the coals of the Davis Mine. Accordingly, it now appears that a reasonable showing of necessity has been made for the granting of temporary relief for the coals of the Davis Mine, and that the price classifications and minimum prices proposed by petitioner should be established for the coals of that mine.

Now, therefore, it is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 334.5 (Alphabetical list of code members) is amended by adding thereto Supplement R, and § 334.24 (General prices for shipment into all market areas) is amended by adding thereto Supplement T, which supplements are herein-after set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 12

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 332, Minimum Price Schedule for District No. 12 and supplements thereto.

§ 332.2 Alphabetical list of code members—Supplement R

[Listing of code members, mines, mine index numbers and mine origin groups (for delivery by railroad)]

Mine index No.	Code member	Mine	Mine origin group	Originating railroad	Mine origin group No.
820	Carbon Hill Coal Co.	Carbon Hill ¹	Evans	ORI&P	59
468	Edwards Bros. Coal Co.	Edwards Bros. #3	Evans	ORI&P	59
644	Newton Coal Co. (S. H. Vanderzyl)	(¹)	Newton	ORI&P & M&StL	71
707	Patik, F. T. (Patik Coal Co.)	Beacon ¹	Beacon	ORI&P	2
46	Patik, F. T. (Patik Coal Co.)	Patik Coal ¹	Beacon ¹	ORI&P	2
776	Ray, O. V.	Ray ¹	Fraser Boone	FtDM&S O&NW	75

¹ Indicates mines shipping via public sidings and ramps for railway delivery.

² Shipping point at Givin in Freight Origin Group No. 10 shall no longer be applicable.

FOR TRUCK SHIPMENTS

§ 332.24 General prices in cents per net ton for shipment into all market areas—
Supplement T

Code member index	Mine index No.	Mine	Price group No.	County	Chunk	Standard lump	Egg, 8 x 2", 6 x 2"	Small egg, 4 x 2", 3 x 1 1/2"	Mine run	Nut 2 x 1 1/4", 1 1/4 x 3/4"	Dom. stoker, 1 1/4", 1 x 3/8"	Screenings 2", 1 1/2", 1 1/4" x 0	Ind. stoker, Cr. 2", 1 1/2", 1 1/4" x 0	4 1/2" x 0
Carbon Hill Coal Co.	820	Carbon Hill	23	Mahaska	320	310	300	290	275	275	275	170	230	100
Cudworth Bros. Coal Co. (A. G. Cudworth).	816	Cudworth Coal Co.	7	Jefferson	306	296	286	276	266	266	266	170	230	100

[F. R. Doc. 42-5617; Filed, June 16, 1942; 11:30 a. m.]

Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty

(60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: June 8, 1942.

[SEAL]

DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 14

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 334, Minimum Price Schedule for District No. 14 and supplements thereto.

§ 334.5 Alphabetical list of code members—Supplement R

[Alphabetical list of code members showing price classification by size group for all uses except railroad locomotive fuel]

Code member	Mine index No.	Mine name	Production group No.	Shipping point	Railroad	Freight origin group No.	Price classification by size group		
							3	14	15
S. & S. Coal Company (J. W. Sanders).	593	Davis.....	3	Paris, Ark.....	MP.....	14	C	B	N

FOR TRUCK SHIPMENTS

§ 334.24 General prices for shipment into all market areas—Supplement T

Code member	Mine index No.	Mine name	Production group No.	County	Prices and size group Nos.		
					3	14	15
S. & S. Coal Company (J. W. Sanders).....	593	Davis.....	3	Logan, Arkansas.....	625	135	625

NOTE: The above classifications and prices are subject to the order granting Temporary Relief in District A-1000.

[F. R. Doc. 42-5618; Filed, June 16, 1942; 11:30 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Division of Industry Operations

PART 933—COPPER

[Amendment 2 to Conservation Order M-9-c, as amended May 7, 1942]

CURTAILING THE USE OF COPPER IN CERTAIN ITEMS

Section 933.4, *Conservation Order M-9-c*,¹ is hereby amended:

By amending paragraph (h) (8) to be and read as follows:

(8) *Repair*. The restrictions of this order (other than those contained in paragraph (d) (1) hereof) shall not apply to a person repairing a used article on or off the premises of the owner if the person making the repair does not use copper products or copper base alloy products weighing in the aggregate more than two pounds and any manufacturing, processing, assembling or finishing done by him is for the purpose of making the specific repair.

By deleting paragraph (h) (10) and inserting in its place a new paragraph (h) (10) to be and read as follows:

(10) *Copper products or copper base alloy products not controlled by order.*

¹ 7 F.R. 3424, 3660, 3745, 4205, 4480.

From and after the respective dates set forth in this subparagraph, the provisions of this order shall not apply to the manufacture of the following items or articles and parts (including repair parts) therefor, even though they contain copper products or copper base alloy products, since these items or articles are specifically governed by the following orders:

Shoe findings and footwear of all kinds governed by Supplementary Conservation Order M-9-c-1² effective January 23, 1942.

Fire protective equipment governed by General Limitation Order L-39³ effective February 27, 1942.

Motorized fire apparatus governed by General Limitation Order L-43⁴ effective February 27, 1942.

Bronze paste, bronze ink and bronze leaf and products made with bronze paste, bronze ink, bronze leaf and bronze powder (other than decalcomanias and ship bottom paint), governed by Supplementary Conservation Order M-9-c-3⁵ as amended May 30, 1942.

Jewelry governed by Supplementary Conservation Order M-9-c-2⁶ effective April 4, 1942.

² 7 F.R. 510, 2877.

³ 7 F.R. 1597, 3053, 3363, 3207, 3553.

⁴ 7 F.R. 1586, 2817.

⁵ 7 F.R. 2448, 4156.

⁶ 7 F.R. 2708.

Musical instruments governed by Supplementary Limitation Order L-37-a⁷ effective May 29, 1942.

The provisions of this amended order do not apply to attaching finished slide fasteners, hooks and eyes, brassiere hooks, sew-on, machine attached or riveted snap fasteners or grippers, corset clasps, eyelets, garter trimmings, hose supporters, loops, mattress buttons, pin fasteners, staples, slide and trouser trimmings, or to attaching finished pins or buckles for a functional purpose. The amended order does apply to manufacturing, processing, assembling and finishing of the closures and associated items listed above where the provisions of this amended order are more restrictive than Limitation Order L-68.⁸

The provisions of this amended order do not apply to the assembling of watch or clock movements finished prior to June 15, 1942 into cases not made of copper or copper base alloy; although it does apply to manufacturing, processing, and finishing watch and clock cases and all other parts of watches and clocks, and to assembling watches and clocks except under the conditions mentioned in this sentence.

By amending the line in List "A" which reads:

"Chimes and bells."

to be and read as follows:

"Chimes and bells (except for parts necessary for conducting electricity for bells)."

By amending the line in List "A" which reads:

"Radios (except for ships)."

to be read as follows:

"Radio receiving sets for private use (except for replacement vacuum tubes)."

By deleting the line in List "A-1" which reads:

"Musical Instruments."

(P.D. Reg. 1, as amended, 6 F.R. 6630; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 17th day of June 1942.

J. S. KNOWLSON,

Director of Industry Operations.

[F. R. Doc. 42-5631; Filed, June 17, 1942; 10:53 a. m.]

PART 965—IRON AND STEEL SCRAP

[Supplementary Order M-24-c]

ALLOY SCRAP SEGREGATION

§ 965.4 *Supplementary Order M-24-c*. Pursuant to the provisions of General Preference Order M-24¹ is hereby ordered:

¹ 6 F.R. 5217; 7 F.R. 3878.

² 7 F.R. 4036.

³ 7 F.R. 2455, 4030.

(a) *Additional definition.* "Alloy scrap" means scrap consisting of alloy iron or alloy steel as defined in Supplementary Order M-21-a,² as amended.

(b) *Segregation of alloy scrap.* Each person who produces in any calendar month 10 tons or more of alloy scrap of the types described in Classifications 1-9, inclusive, of Schedule A, or 1 ton or more of alloy scrap of the types described in Classifications 10-18, inclusive, of Schedule A, shall segregate such scrap into the classifications shown in Schedule A.

(c) *Mingling of segregated scrap prohibited.* No person shall (except in melt-

ing alloy iron or alloy steel) mingle alloy scrap segregated in accordance with paragraph (b) with scrap which is unclassified or in a different classification, nor ship or deliver such alloy scrap without clearly identifying the classification to which it belongs. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 17th day of June 1942.

J. S. KNOWLSON,

Director of Industry Operations.

Schedule A

Column 1. Classification	Column 2. Description	Column 3. Examples
Alloy constructional steels:		
1.....	(Nickel steels (nickel 1%-2% inclusive).....)	2100.
2.....	(Nickel-chromium steels (nickel 1%-2.25% inclusive).....)	(3100.
3.....	Nickel steels (nickel over 2% to and including 5.25%).....)	(3200.
4.....	Nickel-chromium steels (nickel over 2.25% to and including 5.25%).....)	(2300.
5.....	Nickel-molybdenum steels (nickel 1%-5.25% inclusive).....)	(2500.
6.....	Nickel-chromium-molybdenum steels (nickel 1% and under).....)	(3300.
7.....	Nickel-chromium-molybdenum steels (nickel over 1% to and including 5.25%).....)	(3400.
8.....	Molybdenum steels (molybdenum 0.15%-0.65% inclusive).....)	(4000.
9.....	Chromium steels and chromium-vanadium steels (chromium 0.70%-1.75% inclusive).....)	(4800.
Alloy tool steels:		
10.....	Class A high speed steel (as defined in Order M-14, as amended).	(8600, 8700.
11.....	Class B high speed steel (as defined in Order M-14, as amended).	(8800, 8900.
12.....	Tungsten-bearing hot work steels.	4300.
Corrosion and heat-resisting alloy irons and steels:		
13.....	Chromium 10%-14% inclusive.	4000, 4100, 8000, 8100,
14.....	Chromium over 14% to and including 18%.	8200, 8300, 8400, 8500.
15.....	Chromium over 18%.	Mn-Mo bullet core steel.
16.....	Chromium 16%-20% inclusive and nickel 8%-10% inclusive.	(62100.
17.....	Chromium over 20% to and including 30% and nickel over 10% to and including 20%.	(5100.
18.....	All other grades of corrosion and heat resisting alloy irons and steels containing chromium, nickel, molybdenum, cobalt, or copper.	(6100.

NOTE: The steel series and other designations listed in Column 3 are for illustration only. Scrap of other analyses should be segregated in the appropriate classification according to the descriptions in Column 2.

[F. R. Doc. 42-5676; Filed, June 17, 1942; 10:58 a. m.]

PART 1001—TIN

[General Preference Order M-43 as amended June 17, 1942]

Section 1001.1, *General Preference Order M-43*, as heretofore amended, is hereby further amended to read as follows:

§ 1001.1 *General Preference Order M-43*, as amended June 17, 1942—(a) *Definitions.* For the purposes of this order:

(1) "Tin" means tin metal in shapes and brands current in the trade (including anodes and small bars and ingots), imported from foreign sources, or pro-

duced domestically from foreign or domestic ores or from any scrap or residues.

(2) "Distributor" means any person regularly engaged in the business of buying and selling tin, and includes warehousemen and jobbers.

(b) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provisions hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(c) *Restrictions on deliveries.* (1) Hereafter, no person shall deliver or accept delivery of tin without the specific authorization of the Director of Indus-

try Operations: *Provided, however,* That in the absence of a contrary direction by the Director of Industry Operations, tin may be delivered without specific authorization:

(i) To the Metals Reserve Company or to any other Corporation organized under Section 5 (d) of the Reconstruction Finance Corporation Act as amended (16 U.S.C., Section 606 (b)), or to any duly authorized agent of any such Corporation.

(ii) By any distributor to his regular customers in lots of three long tons or less up to but not exceeding a total of five long tons to any one customer in the same calendar month: *Provided,* That the aggregate of such deliveries which any person may receive from all distributors pursuant to this authorization shall in no event exceed five long tons in any one calendar month: *And provided further,* That any person seeking such a delivery shall at the time of placing his purchase order, file with the distributor a statement substantially in the following form, manually signed by an official duly authorized for such purpose:

The undersigned hereby certifies:

(a) that no allocation of tin has been made to the undersigned by the Director of Industry Operations during the calendar month in which delivery of the tin covered by the company purchase order is specified;

(b) that such tin if delivered will not cause the undersigned's total receipts of tin from all distributors during the same calendar month pursuant to the authorization of paragraph (c) (1) (ii) of General Preference Order M-43 as amended, to exceed five long tons, and

(c) that such tin will not be used or disposed of by the undersigned in violation of any order, rule or regulation issued by the Director of Industry Operations.

(Name of purchaser)

By _____
(Duly authorized official)

(2) On or before the 10th day of each calendar month, each distributor shall report to the War Production Board in such form and detail as said Board may from time to time prescribe, his transactions in all tin during the previous month.

(d) *Allocations.* The Director of Industry Operations will from time to time allocate the supply of tin, including all tin released by the Metals Reserve Company, and issue specific directions as to the source, destination, and amount of tin to be delivered or acquired. The Director may also specifically direct the purposes and end products for which any person may convert, process or fabricate tin.

(e) *Applications for allocations of tin.* Unless otherwise ordered by the Director of Industry Operations, no person shall be entitled to receive an allocation of tin unless, not later than the 20th day of the month next preceding the month in which delivery is desired, he shall have applied therefor to the War Production Board on Form PD-213 or such other

¹ 6 F.R. 6519; 7 F.R. 251, 2759.

² 6 F.R. 4784, 5995, 6646; 7 F.R. 3478.

form as said Board may from time to time prescribe.

(f) *Restrictions on sales and deliveries of certain tin products.* Hereafter, no person shall send or deliver any solder having a tin content of more than 16% by weight, any tin-bearing babbitt, tin-bearing foil, or tin oxide, except:

(1) In the usual course of a retail business in which the seller is regularly engaged; or

(2) In fulfillment of a purchase order to which a preference rating of A-9 or higher shall have been assigned by preference rating order or certificate, duly authorized or extended to the supplier; or

(3) Where the purchase order specifies that the material is to be used for maintenance or repair of existing equipment, and a preference rating of A-10 shall have been assigned thereto by preference rating order or certificate, duly issued or extended to the supplier; or

(4) Solder to be used in the manufacture or sealing of cans, as defined in Conservation Order M-81,² and subject to all the provisions, limitations, and restrictions of, Conservation Orders M-81 and M-86,³ as either may be from time to time amended.

(g) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Communications to War Production Board.* All reports to be filed hereunder, appeals, and other communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Tin and Lead Branch, Washington, D. C., Reference: M-43. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 17th day of June 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-5675; Filed, June 17, 1942;
10:57 a. m.]

PART 1044—CADMIUM

[General Preference Order M-65¹ as amended
June 17, 1942]

TO CONSERVE THE SUPPLY AND DIRECT THE
DISTRIBUTION OF CADMIUM

Whereas, the fulfillment of requirements for the defense of the United

States has created a shortage of cadmium for defense, for private account, and for export; and the following order is deemed necessary in the public interest and to promote the national defense;

§ 1044.1 *General Preference Order M-65 as amended June 17, 1942—(a) Definitions.* For the purposes of this order:

(1) "Cadmium" means the following in any forms suitable for industrial use:

(i) Metallic cadmium in such forms as anodes, balls, cakes, discs, foil, ingots, moss, pencils, pigs, plates, powder, rods, sheets, shot, slabs, sticks, strips, wire or other refined shapes; or

(ii) Any cadmium-containing chemical compound, salt or mixture, including cadmium-bearing materials such as oxides or other forms available for electroplating purposes; or

(iii) Any scrap, residues, dross, alloys, or other materials containing commercially recognized amounts of cadmium, or of metal or compounds produced therefrom.

(2) "Producer" means any person who produces cadmium as primary or secondary metal or as a by-product in the conduct of any enterprise.

(3) "Distributor" means any person regularly engaged in the business of buying cadmium and selling the same in forms suitable for general fabrication or electroplating.

(4) "Consumer" means any person who uses cadmium in any fabricating or electroplating process.

(b) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this Order shall govern.

(c) *Restrictions on deliveries.* (1) Notwithstanding any provision in Priorities Regulation No. 1, no person may deliver cadmium except as follows:

(i) To a distributor; or

(ii) Pursuant to a specific authorization of the Director of Industry Operations based on an application of the consumer on Form PD-441.

(2) No person shall accept delivery of cadmium made in violation of the provisions of (c) (1) above.

(3) No distributor shall hereafter accept delivery of cadmium unless

(i) Such distributor shall during the preceding sixty days have sold or otherwise disposed of cadmium to an amount at least equal in weight to the cadmium inventory of such distributor on the date of such acceptance of delivery of cadmium (which inventory shall exclude such delivery), and

(ii) Such distributor shall have filed with the War Production Board such reports as may from time to time be required by the War Production Board.

(d) *Reports.* All producers, distributors and consumers shall file reports with the War Production Board at such

times and in such manner and form as it may prescribe, showing inventory, production, purchases, sales, and consumption and such other information as the War Production Board may from time to time require.

(e) *Communications.* All reports to be filed, appeals and other communications concerning this order should be addressed to: War Production Board, Mica-Graphite Branch, Washington, D. C. Ref: M-65.

(f) *Violations.* Any person who willfully violates any provisions of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(g) *Effective date.* This amended order shall take effect June 24, 1942, and shall continue in effect until revoked by the Director of Industry Operations. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 17th day of June, 1942.

J. S. KNOWLSON,

Director of Industry Operations.

[F. R. Doc. 42-5674; Filed, June 17, 1942;
10:57 a. m.]

PART 1213—SAFETY EQUIPMENT

[Amendment 2 to General Limitation Order
L-114]

Appendix A of § 1213.1, *General Limitation Order L-114*¹ is amended by striking out paragraphs numbered (7) and (8) of said Appendix A and adding the following new subparagraph and paragraphs to said Appendix A:

(6) * * *

(f) Mounting panels, rheostats, connections, plugs, and insulation in cases, for hazard measuring devices when necessary for efficient operation.

(7) Rubber as permitted under Supplementary Order M-15-b, as amended from time to time.

(8) Synthetic rubber on specific authorization of the Director of Industry Operations. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 17th day of June 1942.

J. S. KNOWLSON,

Director of Industry Operations.

[F. R. Doc. 42-5689; Filed, June 17, 1942;
10:53 a. m.]

¹ 7 F.R. 3363, 4273.

¹ 7 F.R. 396.

² 7 F.R. 947, 1998, 2631, 3264.

³ 7 F.R. 1998.

**PART 1236—CHROMIUM AND NICKEL IN
AUTOMOTIVE VALVES**

[Limitation Order L-128]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of nickel, chromium, and other materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1236.1 *Limitation order L-128—(a) Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(b) *Definitions.* For the purposes of this order:

(1) "Passenger automobile" means any passenger vehicle, propelled by an internal combustion engine, and having a seating capacity of less than eleven (11) persons, including taxicabs, station wagons, ambulances and hearses.

(2) "Light motor truck" means a complete motor truck or truck-tractor with a maximum gross vehicle weight rating of less than 9,000 pounds, as authorized by the manufacturer thereof, or the chassis thereof.

(3) "Medium and/or heavy motor truck" means a complete motor truck or truck-tractor with a maximum gross vehicle weight rating of 9,000 pounds or more, as authorized by the manufacturer thereof, or the chassis thereof.

(4) "Off-the-highway motor vehicle" means a motor truck or truck-tractor operating off the public highway, normally on rubber tires and specially designed to transport materials, property or equipment, on mining, construction, logging or petroleum development projects.

(5) "Passenger carrier" means a complete motor coach for passenger transportation, having a seating capacity of eleven (11) or more persons.

(6) "Exhaust valve" means an automotive part whose function is to control the exit of exhaust gases from the combustion chamber of an internal combustion engine.

(7) "Automotive part" means a part entering into the production of, or as a replacement part for, passenger automobiles, light motor trucks, medium and/or heavy motor trucks, off-the-highway motor vehicles and passenger carriers.

(8) "Producer" means any individual, partnership, association, corporation or other organization engaged in the production of automotive parts.

(9) "Distributor" means any person not a producer whose business consists, in whole or in part, of the sale of automotive parts from stock or inventory. Distributor includes wholesalers, jobbers, dealers, retailers and other persons performing a similar function.

(c) *Restrictions on use of chromium and nickel.* On and after the effective date of this order, except upon specific

authorization of the Director of Industry Operations:

(1) "No producer shall manufacture a head for an exhaust valve for use as an automotive part containing chromium or nickel in a greater percentage than the following:

(i) For passenger cars and light motor trucks: chromium, nine per cent (9%); nickel, none.

(ii) For medium and/or heavy motor trucks: chromium, twenty-one per cent (21%); nickel, one point five per cent (1.5%).

(iii) For medium and/or heavy motor trucks, off-the-highway motor vehicles and passenger carriers with a piston displacement of three hundred (300) cubic inches or more: chromium, twenty per cent (20%); nickel, nine per cent (9%).

(2) No producer shall manufacture an exhaust valve except of the two-piece, welded head type and no chromium and/or nickel shall be used in the manufacture of the stem, and the rate of production thereof shall be as authorized by Limitation Orders L-4-C and L-35, as amended.

(d) *Restrictions on sale of exhaust valves.* (1) No distributor shall sell or deliver any new exhaust valve to a consumer, unless such consumer delivers to such distributor, concurrently with his purchase, one used exhaust valve of similar size for each new exhaust valve delivered to such purchaser. No new exhaust valve shall be sold or delivered to a consumer to replace an exhaust valve which can be reconditioned.

(2) No new exhaust valve manufactured in accordance with subdivisions (ii) and (iii) of paragraph (c) (1) above, shall be sold for use as a replacement part in any passenger automobile or light motor truck.

(e) *Restrictions on distributors' inventories.* (1) No distributor may keep in his inventory, in his possession, or under his control, for a period of more than thirty (30) days any used, traded in, imperfect or condemned exhaust valve, or any exhaust valve which cannot be reconditioned, but must dispose of the same through customary disposal channels.

(f) *Exemption of war agencies.* The prohibitions and restrictions contained in this order shall not apply to the manufacture of exhaust valves under contracts or orders placed within a period of ninety (90) days from the effective date of this order, for delivery to, or for the account of, the United States Army, Navy or the United States Maritime Commission.

(g) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production and sales.

(h) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(i) *Reports.* All persons affected by this order shall execute and file with the

War Production Board such reports and questionnaires as the Board shall from time to time require.

(j) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(k) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community, or that compliance with this order would disrupt or impair a program of conversion from non-defense work, may apply for relief by addressing a letter to the War Production Board, setting forth the pertinent facts and the reasons such person considers that he is entitled to relief. The Director of Industry Operations may thereupon take such action, if any, as is deemed appropriate.

(l) *Communications.* All communications concerning this order shall be addressed to: War Production Board, Washington, D. C. Ref.: Order L-128.

(m) *Effective date.* This order shall take effect July 1, 1942. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 17th day of June 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-5679; Filed, June 17, 1942;
10:58 a. m.]

**PART 1288—POWER, STEAM AND WATER
AUXILIARY EQUIPMENT**

[Limitation Order No. L-154]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron, steel, brass, bronze and other critical materials for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1288.1 *Limitation Order L-154—(a) Definitions.* For the purpose of this order and all schedules issued pursuant thereto:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons, whether incorporated or not.

(2) "Required specifications" includes requirements to standardize the types.

sizes, models, or forms of, or the specifications for power, steam and water auxiliary equipment.

(3) "Restrictions on materials" includes requirements to eliminate, reduce or conserve the use of critical materials in the production of power, steam and water auxiliary equipment; and requirements to substitute less critical for more critical materials in the production of such equipment.

(b) *Issuance of schedules of required specifications and restrictions on materials.* The Director of Industry Operations may from time to time issue schedules establishing required specifications and restrictions on materials with respect to the production of any power, steam and water auxiliary equipment. On and after the effective date of any such schedule, no power, steam or water auxiliary equipment affected thereby shall be produced, fabricated or accepted except in accordance with the terms of such schedule.

(c) *Appeals.* Any person affected by this order or any schedule issued pursuant thereto who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community, or that compliance with this order or such schedule would disrupt or impair a program of conversion from non-war to war work, may apply for relief by addressing a letter to the War Production Board setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(d) *Applicability of Priorities Regulation No. 1.* This order (and any schedule issued pursuant thereto) and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order (or such schedule) shall govern.

(e) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C., Ref.: L-154.

(f) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law

671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 17th day of June 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-5677; Filed, June 17, 1942;
10:58 a. m.]

PART 1288—POWER, STEAM, AND WATER AUXILIARY EQUIPMENT

[Schedule I—Limitation Order L-154]

WATER METERS

§ 1288.2 *Schedule I to Limitation Order L-154*—(a) *Definitions.* For the purposes of this schedule:

(1) "Producer" means any person who produces, manufactures, processes, fabricates, or assembles water meters.

(2) "Water meter" means any meter for measuring cold (under 100 degrees Fahrenheit) water for any purpose, except chemical or marine applications.

(3) "Copper base alloy" means any alloy which contains 40% or more copper by weight.

(b) *Restrictions on materials.* The following restrictions on materials are hereby established for the manufacture of water meters:

(1) No producer shall manufacture, process, finish, or assemble any water meters if they contain:

(i) Copper or copper base alloys in the main case or casings, the external bolts, nuts, and washers, the register boxes and lids, the upper and lower plates or cages, and the dials;

(ii) Stainless steel or nickel alloys;

(iii) Tin in coatings.

(2) Nothing herein contained shall prevent the delivery of water meters assembled and finished on the effective date of this schedule.

(c) *Conservation Order M-9-c.* From and after the effective date of this Schedule, the provisions of Conservation Order M-9-c shall no longer apply to the manufacture of Water Meters.

(d) *Exception.* Nothing in this schedule shall be construed to restrict the manufacture, processing or finishing of any article or product by or through a prime contractor or sub-contractor for the account of the Army, Navy or Maritime Commission in accordance with the specifications, including performance specifications, of the prime contract. (P.D. Reg. 1 as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 17th day of June 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-5679; Filed, June 17, 1942;
10:58 a. m.]

¹ *Supra.*

² 7 F.R. 3424, 3660, 3745, 4205, 4460.

Chapter XI—Office of Price Administration

PART 1333—TIN

[Amendment 2 to Revised Price Schedule
No. 17—Pig Tin]

STANDARD GRADES OF PIG TIN; SPECIAL SHAPES

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 1333.10 is amended by adding to paragraph (a) thereof a new grade designated F, and adding a new paragraph (e) as set forth below:

§ 1333.10 *Appendix A: Maximum prices for pig tin*—(a) *Maximum prices for standard grades of pig tin.*

Grade	Maximum price (per pound)
F. 89.80% or higher percentage of purity, meeting specifications set forth in the "Specifications and Proposals for Supplies, No. S-14", issued December 15, 1933, by the U. S. Treasury Department, Procurement Division, except that pig tin of this grade need not be free of scrap and remelted metal, and may contain over 0.05% lead: <i>Provided</i> , That such tin is sold under allocation by the War Production Board for uses where the excessive lead content has no deleterious effect.	\$0.52

(e) *Differentials for special shapes.* Whenever, at the request of the buyer, tin of the kinds and grades set forth above is melted and poured into molds and is sold in special shapes weighing not more than seven pounds, an amount not exceeding 1¼ cents per pound may be added to the prices set forth in this Revised Price Schedule No. 17. Special shapes weighing more than seven pounds shall be sold at not more than the prices elsewhere specified in Revised Price Schedule No. 17.

§ 1333.9a *Effective dates of amendments.*

(b) Amendment No. 2 (§ 1333.10 (a) F, and (e) to Revised Price Schedule No. 17 shall become effective June 22, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 16th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5633; Filed, June 16, 1942;
1:53 p. m.]

PART 1340—FUEL

[Amendment 6 to Maximum Price Regulation
112—Pennsylvania Anthracite]

ANTHRACITE; PREMIUM PENALTY CONTRACTS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has

¹ 7 F.R. 1240, 1836, 2132, 2295.

² 7 F.R. 2512, 2739, 2818, 2863, 3521.

been filed with the Division of the Federal Register.

A new paragraph (d) is added to § 1340.200 to read as set forth below:

§ 1340.200 Appendix A. Maximum prices for anthracite. * * *

(d) *Premium-penalty contracts.* (1) Barley (#3 buckwheat) may be sold or delivered at a base price not to exceed the maximum price established therefor by paragraph (a) (1) of this section plus a premium or minus a penalty (as the percentage by weight of ash content varies above or below a specified basic percentage by weight of ash content) to any person who, during the period October 1-15, 1941, had in effect an agreement providing for the purchase of such anthracite on such terms:

Provided, That, any premium-penalty agreement executed pursuant to this paragraph (d) shall be subject to the conditions of the following subparagraphs (2) to (4), inclusive:

(2) No agreement executed pursuant to this paragraph (d) shall:

(i) Decrease the size of the bottom screen used in sizing under that required in a premium-penalty agreement which the same purchaser had in effect during the period October 1-15, 1941.

(ii) Increase the maximum percentage of allowable undersize beyond the percentage which was specified in a premium-penalty agreement which the same purchaser had in effect during the period October 1-15, 1941.

(iii) Increase the per net ton return to the seller (on coal of the same ash content) beyond that provided in a premium-penalty agreement which the same purchaser had in effect during the period October 1-15, 1941, except that an increase in return due solely to the fact that the specified base price is equal to the maximum price established by paragraph (a) (1) hereof for barley (#3 buckwheat) may be paid and received.

(3) (i) Any purchaser who enters into a premium-penalty agreement pursuant to this paragraph (d) shall, within 15 days thereafter, file with the Office of Price Administration in Washington, D. C., a certified copy of all premium-penalty agreements to which he was a party during the period October 1-15, 1941.

(ii) No purchaser who enters into a premium-penalty agreement pursuant to this paragraph (d) shall relax the method of sampling and analysis (to determine the ash content of anthracite received pursuant to such agreement) from that which he employed in connection with anthracite received under a premium-penalty agreement which he had in effect during the period October 1-15, 1941.

(iii) On or before the 25th day of July, 1942 and on or before the 25th day of each succeeding month, every purchaser who during the preceding calendar month has sampled and analysed any shipment of barley (#3 buckwheat) received under a premium-penalty agreement entered into pursuant to this paragraph (d) shall file with the Office of Price Administration in Washington, D. C., certified copies

of the records of each sampling and analysis made by him.

(4) Each producer or distributor of anthracite who enters into a premium-penalty agreement pursuant to this paragraph (d) shall file with the Office of Price Administration in Washington, D. C.:

(i) A certified copy of such agreement, within fifteen days after the execution thereof.

(ii) On or before the 25th day of July 1942, and on or before the 25th day of each succeeding calendar month, copies of all invoices covering shipments made during the preceding calendar month pursuant to such agreement.

(iii) On or before the 25th day of July 1942, and on or before the 25th day of each succeeding calendar month, a statement of the premiums received and the penalties incurred pursuant to such agreement during the preceding calendar month. This shall set forth the total premium received and the tonnage on which received and the total penalty incurred and the tonnage on which incurred.

§ 1340.199a Effective dates of amendments. * * *

(f) Amendment No. 6 (§ 1340.200 (d)) to Maximum Price Regulation No. 112 shall become effective June 20, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 16th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5633; Filed, June 16, 1942;
1:56 p. m.]

PART 1340—FUEL

[Amendment 6 to Maximum Price Regulation 120—Bituminous Coal Delivered From Mine or Preparation Plant]

UNION COLLIERIES CO.

A statement of considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

A new subdivision (i) is added to paragraph (b) (4) of § 1340.213, as set forth below:

§ 1340.213 Appendix B: Maximum prices for bituminous coal produced in District No. 2. * * *

(b) * * *

(4) Maximum prices in cents per net ton for railroad fuel. * * *

(i) *Special price instructions.* (a) On and after May 18, 1942, the maximum prices for railroad fuel shipped via the Great Lakes from the Renton No. 8 Mine (Mine Index No. 189) of the Union Collieries Company, District No. 2, shall be the applicable effective minimum price as of April 1, 1942, plus a sum not exceeding 45 cents per net ton for Size Group 2, and plus a sum not exceeding 50 cents per net ton for Size Groups 3 and 4.

* 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404.

§ 1340.211a Effective dates of amendments. * * *

(f) Amendment No. 6 (§ 1340.214 (b) (4) (i)) to Maximum Price Regulation No. 120 shall become effective June 17, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 16th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5634; Filed, June 16, 1942;
1:56 p. m.]

PART 1362—CERAMIC PRODUCTS

[Amendment 2 to Revised Price Schedule 75—Dead Burned Grain Magnesite]

DEAD BURNED GRAIN MAGNESITE, MAINTENANCE GRADES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith, and filed with the Division of the Federal Register.

A new paragraph (f) is added to § 1362.1 as set forth below:

§ 1362.1 Maximum prices for maintenance grades of dead burned grain magnesite. * * *

(f) Notwithstanding paragraphs (a), (b), (c), (d), and (e) of this section permission is hereby granted to the Westvaco Chlorine Products Corporation to sell dead burned grain magnesite from its plant located in Patterson, California to the Vanadium Corporation of America and Mathieson Alkali Works, Inc. and also the Vanadium Corporation of America and Mathieson Alkali Works, Inc. are granted permission to buy dead burned grain magnesite at a price not in excess of \$40.50 per net ton f. o. b. cars, Patterson, California.

§ 1362.9a Effective dates of amendment. * * *

(b) Amendment No. 2 (§ 1362.1 (f)) to Revised Price Schedule No. 75 shall become effective June 20, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 16th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5632; Filed, June 16, 1942;
1:54 p. m.]

PART 1340—FUEL

[Amendment 7 to Maximum Price Regulation 112—Pennsylvania Anthracite]

LEHIGH NAVIGATION COAL CO., INC.

A statement of the considerations involved in the issuance of this Amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.

A new subparagraph (4) is added to § 1340.200 (a) to read as set forth below:

§ 1340.200 Appendix A: Maximum prices for anthracite. (a) The following

* 7 F.R. 1350, 1750, 1734, 1836, 2000, 2132.

* 7 F.R. 2512, 2739, 2818, 2868, 3521.

maximum prices are established for anthracite, f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(4) Produced by Lehigh Navigation Coal Co. Inc., Philadelphia, Pennsylvania, and marketed under the trade name "Old Company's Lehigh Greenwood Premium Anthracite":

Size	Price per net ton
Domestic:	
Egg, stove, and chestnut.....	\$7.00
Broken.....	6.75
Pea.....	5.50
Steam:	
No. 1 buckwheat.....	3.75
Rice (No. 2 buckwheat).....	2.90
Barley (No. 3 buckwheat).....	2.15

These shall be the maximum prices for this anthracite for so long as the present quality and preparation standards are maintained; otherwise, the maximum prices shall be those established by subparagraph (1) of this paragraph.

§ 1340.199a *Effective dates of amendments.* * * *

(g) Amendment No. 7 (§ 1340.200.(a)) to Maximum Price Regulation No. 112 shall become effective June 20, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 16th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5667; Filed, June 16, 1942;
4:12 p. m.]

PART 1340—FUEL

[Correction to Amendment 1 to Maximum Price Regulation 120—Bituminous Coal Delivered From Mine or Preparation Plant]
KEYSTONE COAL AND COKE COMPANY

A statement of considerations involved in the issuance of this correction has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 1340.213 (b) (1) (i) (a) as set forth in Amendment No. 1 is corrected to read as set forth below:

§ 1340.213 *Appendix B: Maximum prices for bituminous coal produced in District No. 2.* * * *

(b) (1) * * *

(i) *Special price instructions.* (a) Maximum prices for smithing coal produced at the Salem No. 2 mine (Mine Index No. 265) of the Keystone Coal and Coke Company shall not exceed \$4.00 per ton.

§ 1340.211a *Effective dates of amendments.* * * *

(g) Correction (§ 1340.213 (b) (1) (i) (a)) of Amendment No. 1 to Maximum Price Regulation No. 120 shall become effective June 16, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 16th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5668; Filed, June 16, 1942;
4:12 p. m.]

*7 F.R. 3168, 3447, 3901.

No. 119—3

PART 1375—EXPORT PRICES

[Amendment No. 3 to Maximum Export Price Regulation¹]

EXPORT PREMIUMS FOR FINISHED PIECE GOODS

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 1375.2a (a) is amended to read as follows:

§ 1375.2a *Specific maximum export premiums.* (a) The maximum export premium to be charged on a sale for export of any finished piece goods, as defined in Maximum Price Regulation No. 127² (whether covered by that regulation or not), shall be (1) For finished piece goods covered by Maximum Price Regulation No. 127:

(i) If sold by the manufacturer or converter thereof, an amount not in excess of 6% of the domestic maximum price applicable to a sale by such person to a Class I purchaser.

(ii) If sold by a person other than the manufacturer or converter thereof:

(a) If the goods to be exported were acquired directly from the converter or manufacturer thereof, an amount not in excess of 13½% of the cost of acquisition;

(b) If the goods to be exported were acquired from a person other than the converter or manufacturer thereof, an amount not in excess of 8½% of the cost of acquisition.

(2) For finished piece goods other than those covered by Maximum Price Regulation No. 127:

(i) If sold by the manufacturer or converter thereof, an amount not in excess of 6% of the domestic maximum price applicable to a sale to a purchaser of the same class.

(ii) If sold by a person other than the manufacturer or converter thereof:

(a) If the goods to be exported were acquired directly from the converter or manufacturer thereof, an amount not in excess of 13½% of the cost of acquisition;

(b) If the goods to be exported were acquired from a person other than the converter or manufacturer thereof, an amount not in excess of 8½% of the cost of acquisition.

§ 1375.9 *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§ 1375.2a (a)) to Maximum Export Price Regulation shall become effective June 20, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 16th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5670; Filed, June 10, 1942;
4:57 p. m.]

*7 F.R. 3096, 3824, 4295.

*7 F.R. 3119, 3242, 4180.

PART 1378—COMMODITIES OF MILITARY SPECIFICATIONS FOR WAR PROCUREMENT AGENCIES

[Amendment 1 to Maximum Price Regulation 157¹]

SALES AND FABRICATION OF TEXTILES, APPAREL AND RELATED ARTICLES FOR MILITARY PURPOSES

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

A new paragraph (c) is added to § 1378.4, § 1378.10 (a) (6) *Definitions* is amended, § 1378.10 *Effective date* is re-numbered and amended, and a new § 1378.12 *Effective dates of amendments* is added, as set forth below:

§ 1378.4 *Sales or fabrications of textiles, apparels and related articles for military purposes temporarily exempted from price regulation.* * * *

(c) Sales of textiles, apparel and related articles by a war procurement agency, shall not be subject to this Maximum Price Regulation No. 157 or to the General Maximum Price Regulation.²

§ 1378.10 *Definitions.* (a) * * *

(6) "War procurement agency" includes the War Department, the Department of the Navy, the United States Maritime Commission, and the Lend-Lease Section in the Procurement Division of the Treasury Department of the United States, or any agency of any of the foregoing, and shall be deemed to include stores operated as army canteens, post exchanges or ships' service activities.

§ 1378.11 *Effective date.* This Maximum Price Regulation No. 157 (§§ 1378.1 to 1378.11, inclusive) shall become effective July 1, 1942.

§ 1378.12 *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1378.4 (c), 1378.10 (a) (6), 1378.11, 1378.12) to Maximum Price Regulation No. 157 shall become effective June 16, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 16th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5666; Filed, June 16, 1942;
4:11 p. m.]

PART 1381—SOFTWOOD LUMBER

[Maximum Price Regulation No. 164]

RED CEDAR SHINGLES

In the judgment of the Price Administrator the prices of red cedar shingles have risen and are threatening to rise to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of red cedar shingles prevailing between October 1 and October 15, 1941, and

*7 F.R. 4273.

*7 F.R. 3153, 3330, 3666.

has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this Regulation.

In the judgment of the Price Administrator the maximum prices established by this Regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith and filed with the Division of the Federal Register.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration, Maximum Price Regulation No. 164 is hereby issued.

AUTHORITY: §§ 1381.1 to 1381.11, inclusive, issued under the authority contained in Pub. Law 421, 77th Cong.

§ 1381.1 *Maximum prices for red cedar shingles.* On and after June 29, 1942, regardless of any contract, agreement, or other obligation,

(a) Where the shipment originates at the mill rather than at a distribution yard, no person shall sell or deliver red cedar shingles, and no person shall buy or receive red cedar shingles in the course of trade or business, at prices higher than the maximum prices set forth in Appendix A, incorporated herein as § 1381.11; and

(b) Where the shipment originates in a foreign country, no person shall sell or deliver red cedar shingles and no person shall buy or receive red cedar shingles in the course of trade or business, at prices higher than the maximum prices set forth in Appendix A, incorporated herein as § 1381.11; and

(c) No person shall agree, offer, solicit or attempt to do any of the foregoing.

(d) The provisions of this section shall not be applicable to sales or deliveries of red cedar shingles to a purchaser if prior to June 29, 1942, such red cedar shingles had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

§ 1381.2 *Less than maximum prices.* Lower prices than those set forth in Appendix A (§ 1381.11) may be charged, demanded, paid or offered.

§ 1381.3 *Conditional agreements.* No seller of red cedar shingles shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices provided by § 1381.11, in the event that this Maximum Price Regulation No. 164 is amended or determined by a court to be invalid or upon any other contingency: *Provided,* That if a petition for amendment (or for adjustment or exception) has been duly filed, and such petition requires extensive consideration, and the

Administrator determines that an exception would be in the public interest pending such considerations, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment (or for adjustment or exception, as the case may be). Requests for such an exception may be included in the aforesaid petition for amendment (or for adjustment or for exception).

§ 1381.4 *Evasion.* (a) The price limitations set forth in this Maximum Price Regulation No. 164 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to red cedar shingles, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying agreement or other trade understanding, or otherwise.

(b) Specifically, but not exclusively, the following practices are prohibited: (1) decreasing the percentage of cash discount below that granted by the seller in October 1941, or shortening the cash discount period or the credit period granted by the seller in October 1941, (2) making any charge for extension of credit if no separate charge for such credit was made by the seller in October 1941, or increasing the charges for extension of credit in effect in October 1941, (3) unnecessarily routing red cedar shingles through a distribution yard, (4) falsely or wrongly grading or invoicing red cedar shingles, (5) refusing to sell except on a delivered basis, and (6) quoting a flat price on items covered by this Maximum Price Regulation No. 164, and items not covered by any price schedule or regulation or the General Maximum Price Regulation.

§ 1381.5 *Records and reports.* (a) On and after June 29, 1942, every person, who, during any calendar month offers or agrees to sell, sells, or delivers, or offers or agrees to buy, buys, or receives a total of 250 squares or more of red cedar shingles in the course of trade or business, where the shipment originates at the mill, shall keep for inspection by the Office of Price Administration for a period of not less than two years, a complete and accurate record of every such offer, agreement, purchase, sale or delivery, showing the date thereof, the name and address of the buyer and the seller, the price paid or received, and the quantity of each kind or grade purchased or sold.

(b) Such persons shall keep such other records in addition to or in place of the records required in paragraph (a) of this section and shall submit such reports to the Office of Price Administration as that Office may from time to time require or permit.

§ 1381.6 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 164 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages pro-

vided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 164 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1381.7 *Applicability of General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 164 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this Regulation.

§ 1381.8 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 164 or an adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1381.9 *Definitions.* (a) When used in this Maximum Price Regulation No. 164, the terms:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successors or representative of any of the foregoing and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Red cedar shingles" means all types of shingles made from Western red cedar (*Thuja plicata*).

(3) "Square" means that number of red cedar shingles necessary to cover 100 square feet when applied so as to expose not more than 5 inches of a 16 inch shingle, not more than 5½ inches of an 18 inch shingle, and not more than 7½ inches of a 24 inch shingle, and is commonly known as a "four-bundle", or "roofing square".

(4) "Mill" means a manufacturing plant which saws or by any other method produces red cedar shingles.

(5) "Distribution yard" means a wholesale or retail establishment which purchases or receives red cedar shingles for purposes of unloading, sorting, and resale or redistribution, and which regularly maintains a stock of red cedar shingles for resale or redistribution.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1381.10 *Effective date.* This Maximum Price Regulation No. 164 (§§ 1381.1 to 1381.11, inclusive) shall become effective June 29, 1942.

§ 1381.11 *Appendix A: Maximum prices for red cedar shingles.* (a) The Maximum prices f. o. b. mill per square, green or dry, in mixed or straight load shipments, shall be

Length and thickness	Width	Grade		
		No.1	No.2	No.3
16" 5/2 (XXXXXX)-----	Random.....	\$4.00	\$3.25	\$2.25
	5"-----	4.70	3.95	2.95
	6"-----	4.83	4.05	3.05
18" 5/2-1/4 (Perfections)---	Random.....	4.40	3.40	2.40
	5" or 6"-----	5.10	4.10	3.10
18" 5/2 (Eurekas)-----	Random.....	4.23	3.30	2.30
24" 4/2 (Royals)-----	Random.....	5.40	3.70	2.45

(b) A delivered price in excess of the maximum f. o. b. mill prices set forth in paragraph (a) of this section may be charged consisting of such maximum prices plus actual transportation costs to the extent that such costs are paid by the seller: *Provided*, That the f. o. b. mill price and the amount added for transportation (whether based on actual or estimated weights) are set forth as separate charges on the invoice. Where shipment is by motor vehicle, owned or controlled by the seller, the transportation charge may not exceed the actual expense to the seller of such delivery. Where the shipment is by common or contract carrier, such charge may not exceed the amount actually paid by the seller to such carrier. However, it shall not be deemed a violation of this section to:

(1) use the following estimated weights in computing transportation costs even though they prove to be greater than the actual weights:

Size of Shingles	Permissible estimated weights per square (green or dry) (lbs.)
16" 5/2-----	144
18" 5/2-----	144
18" 5/2 1/4-----	158
24" 4/2-----	192

(2) use estimated weights greater than those set out above in computing transportation costs for the purpose of bidding or quoting on a delivered basis: *Provided*, That if such estimated weights prove to be greater than the actual weights, the seller may charge and the buyer may pay no more than could have been charged and paid had the transportation costs originally been calculated on the actual weights.

(c) The maximum prices f.o.b. mill for a "three-bundle square" or other unit of measurement shall bear the same proportion to the maximum prices set out in paragraph (a) of this section that the coverage of such unit of measure bears to the coverage of a square, as defined in paragraph (a) (3) of § 1381.9.

(d) The maximum prices for shipments originating in Canada and delivered in the United States shall be the maximum f.o.b. mill prices set forth in paragraphs (a) and (c) of this section plus the transportation costs provided in paragraph (b) of this section: *Provided*, That such transportation costs may not exceed the transportation costs which could have been added by the seller had the shipment originated at Seattle, Washington, U.S.A.

Issued this 16th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5665; Filed, June 16, 1942;
4:11 p. m.]

PART 1499—COMMODITIES AND SERVICES [Amendment 3 to Supplementary Regulation 4¹ to General Maximum Price Regulation²]

POST EXCHANGES, CANTEENS, ETC.

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

A new subparagraph (16) is added to § 1499.29 (a) to read as set forth below:

§ 1499.29 *Exceptions for sales and deliveries to the United States or any agency thereof of certain commodities and in certain transactions and for certain other commodities.* (a) General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities or in the following transactions:

(16) To sales to or by stores operated as army canteens, post exchanges or ships' service activities, of

(i) Yarns, textiles, and textile products;

(ii) Leather, fur and products thereof;

(iii) Rubber fabrics, apparel and footwear; and

(iv) Wearing apparel, including findings, and other individual, organizational or ship's personnel equipment made in whole or in part of any of the materials listed in subdivisions (i) and (ii) of this subparagraph (16), or from rubber except rubber drug sundries.

(d) * * *
(5) Amendment No. 3 (§ 1499.29 (a) (16)) to Supplementary Regulation No. 4 shall become effective June 17, 1942. (Pub. Law 421, 77th Cong.)

Issued this 16th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5672; Filed, June 16, 1942;
4:53 p. m.]

PART 1499—COMMODITIES AND SERVICES [Supplementary Regulation 11 to General Maximum Price Regulation²]

EXCEPTIONS FOR CERTAIN SERVICES

A statement of considerations involved in the issuance of this Supplementary Regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in that statement, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and pursuant to § 1499.10 of the General Maximum Price Regulation, Supplementary Regulation No. 11 is hereby issued. Section 1499.26 (c) (2) heretofore a part of Supplementary Regulation No. 1 is hereby incorporated into this Supplementary Regulation No. 11.

§ 1499.46 *Exceptions for certain services.* (a) The provisions of General Maximum Price Regulation, other than § 1499.11 (a), shall not apply to the following services until July 1, 1942:

¹ 7 F.R. 3724, 3942, 4410.

² 7 F.R. 3153, 3330, 3669.

(1) Transportation services of carriers, other than common carriers within the exemption conferred by section 302 (c) of the Emergency Price Control Act of 1942.

(2) Commercial storage and warehousing and services incident thereto.

(3) Services of stevedoring companies.

(4) Services of car loading and car unloading companies.

(5) Services of transportation equipment rental companies.

(6) Services of freight forwarders, consolidators, or distributors, not offering such services to the general public as common carriers within the exemption conferred by section 302 (c) of said Act.

(7) Terminal services.

(8) Services of transportation brokers.

(9) Services of customs brokers.

(10) Services of transportation agents (other than employees of transportation companies).

(11) Packing, crating, marking and labelling of shipments.

(12) Pre-cooling, icing, ventilating, and heating of shipments and of transportation equipment.

(13) Dry cleaning services sold other than to the person owning the commodity upon which the services is rendered, by any dry cleaning establishment.

(b) *Definitions.* (1) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(c) Supplementary Regulation No. 11 (§ 1499.46) shall become effective June 17, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 16th day of June, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5671; Filed, June 16, 1942;
4:53 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIAL OF WHICH RUBBER IS A COMPONENT

[Amendment No. 14 to Revised Tire Rationing Regulations¹]

TIRES AND TUBES, RETREADING AND RECAPPING OF TIRES, AND CAMELBACK

A new § 1315.707 is added, and § 1315.801 (f) (5), § 1315.802 (d) (4), and § 1315.803 (d) (3) are amended to read as follows:

§ 1315.707 *Certificates for new tires and tubes and retreaded or recapped tires stored by a consumer in a public warehouse.* A consumer who has transferred new tires, new tubes, or retreaded or recapped tires to a public warehouse for storage and who desires to obtain such tires or tubes for his own use shall make an application to a Board for a certificate authorizing the purchase of new tires and tubes, or retreaded or recapped tires, and shall in addition notify the Board that the new tires and tubes, or retreaded or recapped tires for which his application is made, are stored in a public warehouse. If the Board issues such con-

¹ 7 F.R. 1027, 1033, 2106, 2107, 2541, 2633.

sumer a certificate for new tires and tubes, or retreaded or recapped tires, Part A and the appropriate items on Parts C and D of the certificate shall be completed by the Board and delivered to the applicant. Part B of the certificate shall be torn off by the Board and destroyed.

§ 1315.801 *Permitted and prohibited transfers of new tires and tubes.* * * *

(f) *Other transfers.* * * *

(5) *Transfers to and from public warehouses*—(i) *Transfers to public warehouses.* Any person may transfer new tires or tubes to a public warehouse for storage for his own account. Upon acceptance of these tires or tubes, the public warehouse shall issue a warehouse receipt which shall have stamped or written across its face the following statement:

Subject to all the provisions of Tire Rationing Regulations now or hereafter promulgated by the Office of Price Administration.

(ii) *Transfers from public warehouses to consumers.* Any public warehouse may transfer any new tires or tubes stored in such warehouse to a consumer who transferred the new tires or tubes to the warehouse for storage, upon presentation by such consumer of Parts A, C, and D of a certificate on O.P.A. Form No. R-2 or O.P.A. Form No. R-20 authorizing transfer of such new tires or tubes. Parts A, C, and D of such certificate on either O.P.A. Form No. R-2 or O.P.A. Form No. R-20 shall be appropriately completed and disposed of in accordance with the instructions thereon. Such consumer, within five (5) days after receiving the new tires or tubes, must sell the replaced tires or tubes to a dealer in tires and file O.P.A. Form No. R-3 with the Board which issued the certificate.

(iii) *Transfers from public warehouses to others.* No public warehouse shall transfer any new tires or tubes to any retailer, distributor, wholesaler or manufacturer, or to any manufacturer, assembler or dealer in vehicles equipped with tires or tubes, and no such person shall accept any such transfer, except upon authorization in writing from the Office of Price Administration, Washington, D. C. Records shall be kept by both the public warehouse and by the person accepting any transfer of new tires or tubes from such public warehouse, which shall show the date of transfer, and the number, size and type of any tires or tubes authorized to be transferred.

§ 1315.802 *Permitted and prohibited deliveries of retreaded or recapped tires.* * * *

(d) *Other deliveries.* * * *

(4) *Delivery to and from public warehouses*—(i) *Delivery to public warehouses.* Any person may ship or deliver retreaded or recapped tires to a public warehouse for storage for his own account. Upon acceptance of these tires, the public warehouse shall issue a warehouse receipt which shall have stamped

or written across its face the following statement:

Subject to all the provisions of Tire Rationing Regulations now or hereafter promulgated by the Office of Price Administration.

(ii) *Delivery from public warehouses to consumers.* Any public warehouse may deliver any retreaded or recapped tires stored in such warehouse to the consumer who delivered the retreaded or recapped tires to the warehouse for storage, upon presentation by such consumer of Parts A, C, and D of a certificate on O.P.A. Form No. R-8, authorizing delivery of such retreaded or recapped tires. Parts A, C, and D of such certificate on O.P.A. Form No. R-8 shall be appropriately completed and disposed of in accordance with the instructions thereon. Such consumer, within five (5) days after receiving the retreaded or recapped tires, must sell the replaced tires to a dealer in tires and file O.P.A. Form No. R-3 with the Board which issued the certificate.

(iii) *Delivery from public warehouses to others.* No public warehouse shall transfer any retreaded or recapped tires to any retailer, distributor, wholesaler or manufacturer, or to any manufacturer, assembler or dealer in vehicles equipped with tires or tubes except upon authorization in writing from the Office of Price Administration, Washington, D. C. Records shall be kept by both the public warehouse and by the person accepting any transfer of retreaded or recapped tires from such public warehouse, which shall show the date of delivery, and the number, size and type of retreaded or recapped tires authorized to be delivered.

§ 1315.803 *Permitted and prohibited deliveries of camelback.* * * *

(d) *Other transfers.* * * *

(3) *Transfers to and from public warehouses*—(i) *Transfers to public warehouses.* Any person may ship or deliver camelback to a public warehouse for storage for his own account. Upon acceptance of this camelback the public warehouse shall issue a warehouse receipt which shall have stamped or written across its face the following statement:

Subject to all the provisions of Tire Rationing Regulations now or hereafter promulgated by the Office of Price Administration.

(ii) *Transfers from public warehouses.* No public warehouse shall transfer any camelback, and no person shall accept any such transfer, except upon authorization in writing from the Office of Price Administration, Washington, D. C. Records shall be kept by both the public warehouse and by the person accepting any transfer of camelback from such public warehouse, which shall show the date of transfer, and the amount, size, type and gauge of camelback authorized to be transferred.

§ 1315.1199a *Effective dates of amendments.* * * *

(n) Amendment No. 14, (§§ 1315.707, 1315.801 (f) (5), 1315.802 (d) (4),

1315.803 (d) (3)) to Revised Tire Rationing Regulations shall become effective June 22, 1942.

(Pub. Law 421, 77th Cong., 2d Sess. Jan. 30, 1942, O.P.M. Supp. Order No. M-15c, W.P.B. Directive No. 1, Supp. Directive No. 1B, 6 F.R. 6792; 7 F.R. 562, 925)

Issued this 17th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5687; Filed, June 17, 1942; 11:52 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Amendment No. 15 to Revised Tire Rationing Regulations¹]

TIRES AND TUBES, RETREADING AND RECAPPING OF TIRES, AND CAMELBACK

A new subparagraph (3) is added to § 1315.405 (c), and § 1315.504 (a) (4) is amended to read as set forth below:

Tires and Tubes for Vehicles Eligible Under List A

§ 1315.405 *Eligibility classification: List A.* * * *

(c) A vehicle operated principally for one of the following purposes:

(3) For official use by the head of a foreign diplomatic mission formally accredited to this country.

(i) Certificates may be issued under this subparagraph (3) for only one designated vehicle operated principally for the official use of an ambassador, minister, or other acting head of a foreign diplomatic mission.

Retreaded and Recapped Tires and New Passenger Tires of an Obsolete Type for Vehicles Eligible Under List B

§ 1315.504 *Eligibility classification: List B.* (a) On a passenger car used principally to provide one or more of the following transportation services:

(4) Transportation on official business of Federal, state, local, or foreign government employees engaged in the performance of government functions essential to the public health, safety, or the war effort.

(i) Certificates may be granted under this subparagraph (4) to enable Government employees to perform Government functions essential to the public health, safety, or the war effort, including such officials as fire wardens, ordinance inspectors, mine inspectors, food and crop inspectors, and similar persons.

(iv) Certificates may be issued under this subparagraph (4) to enable accredited foreign diplomatic representatives, official non-diplomatic foreign missions,

¹ 7 F.R. 1027, 1089, 2106, 2107, 2541, 2633.

and foreign consular officials to perform Government functions essential to the war effort.

** * **
§ 1315.1199a *Effective dates of amendments.* * * *

(c) Amendment No. 15 (§§ 1315.405 and 1315.504) to Revised Tire Rationing Regulations shall become effective June 22, 1942.

(Pub. Law 421, 77th Cong., O.P.M. Supp. Order No. M-15c, W.P.B. Directive No. 1, Supp. Directive No. 1B, 6 F.R. 562, 925)

Issued this 17th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5688; Filed, June 17, 1942;
11:52 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Amendment 2 to Rationing Order 3¹]

SUGAR RATIONING REGULATIONS

Sections 1407.69, 1407.102 and 1407.183 are amended to read as follows, in § 1407.241, a new item is added to the last line of Table III, three new products are added at the end of Table IV, and three new §§ 1407.123, 1407.124 and 1407.205 are added, as set forth below:—

Consumers

§ 1407.69 *Subsequent issuance of War Ration Books to consumers having an excess supply of sugar at the time of the registration period.* Every consumer who has been registered but who has not been issued a War Ration Book by reason of the ownership of an excess sugar supply shall be entitled to receive a War Ration Book by application to the Board at any time subsequent to the commencement of the latest of the ration periods during which Stamps become valid having a weight value equal to the excess sugar supply owned on May 4, 1942, (as adjusted by any reduction authorized by Rationing Order No. 3) by the consumer, if not a member of a family unit, or by all the members of the family unit if the consumer was a member of a family unit on such date. At the time of issuing such War Ration Books the Board shall detach therefrom Stamps in weight value equal to such excess sugar supply and any additional Stamps applicable to expired ration periods.

Retailers and Wholesalers

§ 1407.102 *Prohibited deliveries.* On and after April 28, 1942, notwithstanding the terms of any contract, agreement, or commitment, regardless of when made, no person shall make delivery of sugar to any registering unit and no registering unit shall accept delivery of sugar from any person except upon the surrender to such person by the registering unit, pursuant to Rationing Order No. 3, of Certificates or Stamps having a total weight value equal to the quantity of sugar so

delivered; except that any sugar which at the time of registration has been included in present inventory pursuant to § 1407.104, may be received without the surrender of Certificates or Stamps.

Primary Distributors

§ 1407.123 *Permitted shipments; zones.* (a) The following zones are hereby established:

(1) "Zone 1" comprising Maine, New Hampshire, and Vermont.

(2) "Zone 2" comprising Massachusetts, Rhode Island, and Connecticut.

(3) "Zone 3" comprising New York, New Jersey, Pennsylvania, and Delaware, Maryland, Virginia, West Virginia, and the District of Columbia.

(4) "Zone 4" comprising North Carolina.

(5) "Zone 5" comprising South Carolina, Georgia, and Florida east of the Apalachicola River.

(6) "Zone 6" comprising Tennessee and Kentucky.

(7) "Zone 7" comprising Alabama, Mississippi, Louisiana, Arkansas, Oklahoma, Texas, Missouri, Illinois, Indiana, Ohio, and Florida west of the Apalachicola River.

(8) "Zone 8" comprising the balance of the continental United States excluding Alaska and the Canal Zone.

(b) Except as may otherwise be permitted by the Office of Price Administration deliveries by primary distributors of sugar derived from sugarcane may be made only as follows:

(1) From points in Zones 1 and 2, only to points in Zones 1 and 2.

(2) From points in Zone 3, only to points in Zones 2, 3, and 4.

(3) From points in Zone 4, only to points in Zone 4.

(4) From points in Zone 5, only to points in Zones 4, 5, and 6.

(5) From points in Zone 6, only to points in Zone 6.

(6) From points in Zone 7, only to points in Zones 6 and 7.

(7) From points in Zone 8, only to points in Zones 1, 2, 3, and 8, and Texas, Oklahoma, Missouri, and Illinois.

(c) Sugar which has been delivered by primary distributors prior to June 19, 1942, in a manner inconsistent with the provisions of paragraph (b) and which is owned by such primary distributors on such date, shall be sold and delivered prior to July 15, 1942, at or near the points to which such sugar was originally delivered by the primary distributors.

(d) This section does not apply to raw sugar, invert sugar, soft sugar in bulk or to confectioner's, brown, loaf, tablet, and other specialty sugars in one and two pound packages, except fine granulated sugar, or to sugar refined or processed outside the Continental United States.

§ 1407.124 *Restrictions on primary distributors.* (a) Primary distributors of beet sugar shall retain for delivery as the Office of Price Administration may order, the undelivered balance of the sugar derived from sugar beets, set aside by such primary distributors pursuant to

Supplementary Order M-55-c issued by the War Production Board.

(b) Commencing with June 19, 1942, primary distributors of beet sugar shall set aside at the end of each month for delivery as the Office of Price Administration may order, fifteen percent (15%) of their production during such month.

Armed Forces of the United States; Certain Other Persons and Agencies

§ 1407.183 *Deliveries of sugar to certain persons and agencies.* (a) A registering unit which at any time after registration delivers sugar to any of the persons or agencies enumerated in paragraph (b) of this section or delivers sugar to and for consumption in any territory or possession of the United States other than the District of Columbia, or delivers sugar to any ocean-going vessel operating in foreign, coastwise, or intercoastal trade as ship stores for consumption aboard such vessel may deliver such sugar without receiving Stamps or Certificates therefor. If Certificates or Stamps were not received the registering unit may apply to the Board for a Certificate in weight value equal to the amount of sugar so delivered. The application shall be made on OPA Form No. R-315 which shall be accompanied by receipts, bills of lading, and such other detailed evidence including affidavits as substantiates such deliveries, and in the case of a delivery to a vessel as aforesaid the application must be accompanied by a statement signed by the Collector of Customs or his deputy authorizing the owner of the vessel or his agent to take delivery of sugar as ship stores in an amount equal to that for which application is being made. In a proper case the Board shall grant the application.

(b) The persons and agencies included within the provisions of this section are the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Commission for Aeronautics, the Office of Scientific Research and Development, and any Government agency or other person when such Government agency or other person, in one transaction, acquires sugar or products containing sugar for export to and consumption or use in any foreign country, or in any territory or possession of the United States, other than the District of Columbia, and when such sugar or products containing sugar so acquired in such transaction exceeds the value of \$25.00.

Enforcement

§ 1407.205 *Prohibited deliveries.* Notwithstanding the terms of any contract, agreement or commitment, regardless of when made, on and after June 19, 1942, except as otherwise expressly permitted in Rationing Order No. 3, deliveries of sugar shall be made only by and to, and accepted only by and from registered consumers, registering units and primary distributors.

¹ 7 F.R. 2966, 3242, 3783.

Schedules

§ 1407.241 *Schedule A: Tables of sugar allowance per unit of product for determination of provisional allowance.* * * *

TABLE III—CONVERSION FACTORS FOR CASE EQUIVALENTS FOR USE IN TABLE I AND II OF THIS SCHEDULE

Size of case	Conversion factors to case of 24 1/2's	Conversion factors to case of 24 3/4's
Case of 6 No. 10.....	1.33	0.92

TABLE IV—FROZEN FRUIT

Product	Unit (quantity of fruit)	Quantity of sugar allowed in pounds per unit of fruit	
		Packed in containers of 20-pound weight or greater	Packed in wrapped packages
* * *	Pounds	*	*
Blackberries.....	4	None	1
Boysenberries.....	4	None	1
Pineapples.....	4	1	1

Effective Date

§ 1407.222 *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§§ 1407.69, 1407.102, 1407.123, 1407.124, 1407.183, 1407.205, and 1407.241) to Rationing Order No. 3 shall become effective June 19, 1942.

(Pub. Law 421, 77th Cong. W.P.B. Directive No. 1 and 1E.)

Issued this 17 day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5686; Filed, June 17, 1942;
11:52 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Navy

PART 7—ANCHORAGE AND MOVEMENTS OF VESSELS AND THE LADING AND DISCHARGING OF EXPLOSIVE OR INFLAMMABLE MATERIAL, OR OTHER DANGEROUS CARGO

MISCELLANEOUS AMENDMENTS

Pursuant to the authority contained in section 1, Title II of the Act of June 15, 1917, 40 Stat. 220 (50 U.S.C. 191), as amended by the Act of November 15, 1941 (Public Law 292, 77th Congress), and by virtue of the Proclamation and Executive Order issued June 27, 1940 (5 F.R. 2419) and November 1, 1941 (6 F.R. 5581), respectively, the Rules and Regulations Governing the Anchorage and Movements of Vessels and the Lading and Discharging of Explosive or Inflammable Material, or Other Dangerous Cargo, approved October 29, 1940 (5 F.R. 4401),

as amended, are hereby further amended as follows:

Section 7.10 (c), which reaffirmed and continued in force the anchorage areas and grounds established by the Secretary of War (Code of Federal Regulations, Title 33, Part 202), together with amendments and addenda thereto, is amended by defining and establishing restricted seaplane operating areas in Willoughby Bay and Hampton Roads, Norfolk, Virginia, and in San Diego Harbor, California, as follows:

Willoughby Bay and Hampton Roads, Norfolk, Virginia

The Area

(1) Beginning at a point on the northeast corner of the Naval Operating Base; thence North 82 degrees West, 4,850 feet; thence North 12 degrees East, 7,500 feet; thence South 80 degrees East, 2,150 feet; thence South 9 degrees West, 3,600 feet; thence South 45 degrees East, 2,000 feet; thence South 68 degrees East, 850 feet; thence South 87 degrees 30 minutes East, 7,300 feet; thence South 3 degrees East, 3,000 feet; thence South 69 degrees West, 2,200 feet; and thence South 20 degrees 30 minutes East, 550 feet; to a point on the shore line fronting the Naval Air Station extended, containing an area of about 1,630 acres. All bearings are referred to true meridian.

The Regulations

(1) All vessels excepting those operated by the Navy and Coast Guard and the Chesapeake Ferry Company shall be prohibited from entering that portion of the Seaplane Operating Area in Willoughby Bay at all times.

(2) Boats without lights shall be prohibited from operating in that portion of the Seaplane Operating Area in Hampton Roads west of the western end of Willoughby Spit.

(3) No vessel shall at any time moor or anchor within the Seaplane Operating Area.

(4) No fishing, oystering, clamming or crabbing, or any other activities will be permitted at any time within the limits of the Seaplane Operating Area.

(5) All vessels moving in the Seaplane Operating Area shall immediately proceed to leave the area when warned by aircraft employing the "buzzing" method which consists of low flight by an airplane and repeated opening and closing of its throttle.

(6) These regulations will be enforced by the Captain of the Port, Norfolk, Virginia, and by the Commanding Officer, Naval Air Station, Naval Operating Base, Norfolk, Virginia, or such responsible agent or agents as they may jointly designate.

San Diego Harbor, California

The Area

(1) All of that area in the central part of San Diego Bay inclosed by lines connecting the following points as follows:

S. 25,016 E. 12,420; S. 27,720 E. 16,253; S. 30,490 E. 18,073; S. 31,933 E. 18,239; S. 34,404

E. 19,132; S. 39,271 E. 19,556; S. 41,915 E. 14,009; S. 41,454 E. 13,836; S. 40,983 E. 14,862; S. 35,649 E. 12,581; S. 36,229 E. 11,316; S. 33,132 E. 9,650; S. 30,136 E. 7,810; S. 25,016 E. 12,420.

NOTE: The above points are rectangular coordinates and are referred to the U.S.C. and G.S. station "Old Town" as their origin.

The Regulations

(1) The area designated above is hereby set aside for the use of seaplanes and their attendant plant and, except as specified herein, navigation within that area is restricted to seaplanes, their attendant plant, and vessels under the control of the United States.

(2) At such periods as the area may not be required for the use of seaplanes and their attendant plant, navigation by other craft may be permitted, provided permission is obtained from the Commandant, Eleventh Naval District, San Diego, California, prior to entering the restricted area.

(3) The area will be plainly marked by the United States Navy Department by marine contact seadrome lights flashing amber.

(4) These regulations will be enforced by the Captain of the Port, San Diego, California.

Section 7.10 (c) (12) is amended by adding the following subparagraph:

(12) Narragansett Bay (including Newport Harbor) and Bristol Harbor, Rhode Island. * * *

Anchorage C, Rose Island. Within the area adjacent to Rose Island eastward of a line bearing 184° and ranging through Rose Island Light to a point 311 yards south of the light and of a line from there bearing 140° and ranging toward Ida Lewis Rock Light (Idme Rock Light); to the northward of a line bearing 48° and ranging from the easternmost Dimpling through Mitchell Rock Buoy No. 3; to the westward of a line through Can Buoy No. 7 bearing 336° and ranging from Newport Harbor Light at the north end of Goat Island; and to the southward of a line bearing 266° and ranging to the northernmost edge of Taylor Point.

NOTE: 1. In this area the requirements of the naval service will predominate from May 1 to October 1, but will at all times be subject to such adjustment as may be necessary to accommodate all classes of vessels that may require anchorage room.

2. Temporary floats or buoys for marking anchors or moorings in place will be allowed in this area. Fixed mooring piles or stakes will not be allowed.

Section 7.10 (c) (18) is amended by adding the following subparagraphs:

Beal's Cove, Harpswell Harbor, and Basin Cove, at Harpswell, Maine.

Beal's Cove Anchorage, at Harpswell, Maine. The entire cove as defined by the shore line and a line across the entrance bearing 215° true and tangent to the shore on the north side.

Harpswell Harbor Anchorage, at Harpswell, Maine. The entire area lying westerly of a line having a bearing of 8° true from the eastern extremity of Stover's Point to the point of land at the

northerly end of the harbor, said point of land bearing approximately 275° true from the observatory on Orr Island.

Basin Cove Anchorage at Harpswell, Maine. All of the area lying northeasterly of a line having a bearing of 350° true from the northwest corner of the entrance to the cove.

Section 7.10 (c) (20) is amended to read as follows:

(20) *San Francisco Bay, California.*

(i) The following area in San Francisco Bay, California, is hereby designated a restricted area for Naval operations:

An area in San Francisco Bay, the six corners of which are the following true bearings and distances from the point described: (a) 253°, 3,175 yards from Point Stuart Light; (b) 233°, 1,590 yards from Point Stuart Light; (c) 280°, 1,370 yards from Alcatraz Light; (d) 215°, 2,375 yards from Alcatraz Light; (e) 226°, 3,200 yards from Alcatraz Light; (f) 234°, 3,705 yards from Alcatraz Light.

(ii) No vessels except those engaged in Naval operations shall navigate or anchor in the above-described area without the permission of the captain of the port, but vessels may cross such area provided the crossing is made in strict accordance with directions contained in an order of the captain of the port published through the usual channels of notice to mariners.

(iii) The area in San Francisco Bay, California, inclosed within the following lines is also hereby designated a restricted area for Naval operations and no vessels except those engaged in Naval operations shall cross, navigate, or anchor in such area without the permission of the captain of the port:

From Bluff Point 53° true, 1,300 yards to lighted buoy "1" located 2,110 yards, 101° true, from Stand Pipe, Naval Net Depot, thence 323° true, 1,800 yards to lighted buoy "3", thence 3,000 yards, 270° true, to the shore line, thence southeasterly along the shore line to Bluff Point.

(iv) Anchorage (temporary) No. 1 in San Francisco Bay (33 CFR 202.90 (a) (1) is discontinued.

The following new section is inserted:

§ 7.21 *Cape Cod Canal.* On and after May 20, 1942, all United States vessels of 100 gross tons and over and all foreign vessels, when traversing the Cape Cod Canal, will be required to have on board an accredited pilot approved by the Captain of the Port.

The following new section is inserted:

§ 7.84 *Lake Michigan: Gary, Indiana; Buffington, Indiana; Indiana Harbor, Indiana; Whiting, Indiana; Hammond, Indiana; and Calumet, Illinois.* The following areas in Lake Michigan are hereby designated as restricted areas:

(a) Areas within a radius of 300 feet from the submerged water intake cribs at Gary, Indiana; Buffington, Indiana; Indiana Harbor, Indiana; Whiting, Indiana; Hammond, Indiana; and Calumet, Illinois, and for a distance of 300 feet from the submerged pipe lines connecting these water intake cribs with the shore.

(1) No vessel of any kind, except those engaged in Naval operations, shall enter, navigate, anchor, or moor within a radius of 300 feet from the aforementioned water intake cribs without first obtaining permission to do so from the Captain of the Port, Chicago, Illinois.

(2) Vessels may enter and navigate within the areas extending for a distance of 300 feet from the pipe lines connecting the aforesaid water intake cribs with the shore, but shall not anchor or moor within such areas without first obtaining permission to do so from the Captain of the Port of Chicago, Illinois.

§ 7.85 is amended by adding the following subparagraphs:

§ 7.85 *Chicago, Ill.* (a) * * *

(2) *Restricted areas off the City of Chicago.* The following areas in Lake Michigan are hereby designated as restricted areas:

(i) Areas within a radius of 300 feet from the following water intake cribs located in Lake Michigan, off the City of Chicago:

Wilson Avenue Water Intake Crib;
Carter Harrison Water Intake Crib;
Four Mile Water Intake Crib;
Hyde Park-Dunn 68th Street Water Intake;
and
Filtration Plant Crib;

and for a distance of 300 feet from the submerged pipe lines connecting such water intake cribs from the shore.

(a) No vessel of any kind, except those engaged in Naval operations, shall enter, navigate, anchor, or moor within a radius of 300 feet from the aforementioned water intake cribs without first obtaining permission to do so from the Captain of the Port, Chicago, Illinois.

(b) Vessels may enter and navigate within the areas extending for a distance of 300 feet from the pipe lines connecting the aforesaid water intake cribs with the shore, but shall not anchor or moor within such areas without first obtaining permission to do so from the Captain of the Port of Chicago, Illinois.

(c) The aforesaid restricted areas will be designated by appropriate warning signs posted at or near each such water intake crib.

(3) *Restricted area at the City of Chicago.* The following area on Lake Michigan is hereby designated as a restricted area:

(i) The waters within 100 feet of the pier at Chicago, Illinois, located at the entrance of the Chicago River, leased by the United States Navy, and usually referred to as the Navy Pier.

(a) No vessel of any kind, except those engaged in naval operations, shall navigate, anchor, or moor in the aforementioned area without first obtaining permission to do so from the Captain of the Port, Chicago, Illinois, or from the Commandant of the Ninth Naval District.

(b) The above described restricted area will be designated by appropriate warning signs posted upon the Navy Pier.

The following new section is inserted:

§ 7.86 *Great Lakes, Illinois; United States Naval Training Station—(a) The restricted area.* The following area in Lake Michigan adjacent to the United States Naval Training Station, Great Lakes, Illinois, is hereby designated as a restricted area for Naval operations.

The area extending in a north and south direction from the Great Lakes, Illinois, south breakwater to an east-west line projecting eastward from the shore termination of the north fence of the United States Naval Training Station, Great Lakes, Illinois, and extending into Lake Michigan for a distance of one mile from the shore line.

(1) No vessel of any kind, except those engaged in Naval operations, shall enter, navigate, anchor, or moor in the aforesaid restricted area without first obtaining permission to do so from the Captain of the Port, Chicago, Illinois, or from the Commandant, United States Naval Training Station, Great Lakes, Illinois.

(b) *The danger area.* The following area in Lake Michigan adjacent to the United States Naval Training Station, Great Lakes, Illinois, is hereby designated as a danger area:

The area extending in a north and south direction from an east-west line projected eastward from the outer end of the innermost leg of the Great Lakes, Illinois, north breakwater to the breakwater at Waukegan, Illinois, and extending three miles into Lake Michigan.

(1) When firing affecting the above area is in progress, it shall be the responsibility of the Commandant of the United States Naval Training Station, Great Lakes, Illinois, to post guards at such locations that the waters in the danger area may be observed and to arrange signals whereby these guards may stop the firing should any person or vessel be seen in the waters of the danger area. When firing is in progress, the Commandant shall cause red flags to be displayed on shore near the rifle butts, and red streamers at other points along the shore which may be readily discernible to a person in a vessel within the danger zone.

(2) The Commandant is hereby authorized to use such agencies and equipment as shall be necessary to stop all vessels at the boundary of the danger area and prohibit their crossing that area until such time as shall be convenient to the firing schedule.

(3) Persons desiring to cross the waters within the danger area shall first determine whether red flags and streamers are displayed along the shore. If such streamers are displayed it will indicate that firing is in progress, and that the waters in the danger area are covered by rifle fire and should not be entered until the flags and streamers are lowered.

(4) Wherever possible, the Commandant will warn the public of the contemplated times of firing and the areas involved two days in advance of the scheduled date, through the public press and the United States Coast

Guard. The danger area may, however, be closed without advance notice.

(5) These regulations shall be enforced by the Commandant of the United States Naval Training Station, Great Lakes, Illinois, and by the Captain of the Port, Chicago, Illinois, or by such responsible agent or agents as they, or either of them, may designate.

Section 7.92 is amended as follows:

§ 7.92 *Mississippi River in the vicinity of Twelve Mile Point between Violet and Shingle Point, Louisiana; movement of vessels.* * * *

(e) *Ascending vessels.* (1) An ascending vessel shall not proceed further up the river than Braithwaite Wharf when a red light is displayed from "Cable Area South Range Rear Light Tower," and shall keep close in to the left ascending bank of the river and so maneuver as to keep clear of descending vessels.

(2) All meetings and passings of vessels in this area shall be in accordance with customary river pilot rules, which at this particular reach shall be starboard to starboard.

(f) *Descending vessels.* (1) When a descending vessel reaches Saxonholm Light and a red light is displayed from "Cable Area North Range Rear Light Tower," the vessel shall immediately slow down and maneuver so that it can round to if the signal remains against the vessel.

(2) All meetings and passings of vessels in this area shall be in accordance with customary river pilot rules, which at this particular reach shall be starboard to starboard.

(g) *Use of cable area.* (1) Vessels properly equipped and others having previously made arrangements with the Commandant, Eighth Naval District, New Orleans, Louisiana, shall indicate their intention to use the Cable Area by flying their call letters when approaching the cable area. Ships equipped to use the cable area shall also fly the second repeater pennant of the International Code on separate halyards; and ships not equipped to use the cable area shall fly the first repeater pennant of the International Code below the second repeater during daylight conditions.

(2) In using the cable area, the vessel shall maneuver so that when between a point approximately 2,000 feet upstream and 2,000 feet downstream from the "Cable Area West Light," the vessel will be on a magnetic north or south course (06°17' true), indicated by alignment of front and rear range lights between "Cable Area Traffic Lights."

(3) While using the cable area, the vessel shall hold a steady north or south magnetic course at medium speed.

(4) While using the cable area, the vessel shall keep close watch for and obey all signals which may be displayed from the control house located on the levee on the left descending bank of the river opposite the "Cable Area West Light," and shall also be prepared to take aboard a boarding party upon signal from a U. S. Coast Guard or Navy vessel operating in the area.

(5) Vessels not using the cable area are not obligated to follow the above-described course and should be maneu-

vered in accordance with pilot rules applicable.

(6) Under conditions of poor visibility, vessels shall exercise caution in using the cable area, and in emergencies be governed by the pilot rules applicable.

(40 Stat. 220; 50 U.S.C. 191; Pub. Law 292, 77th Cong.)

FRANK KNOX,
Secretary of the Navy.

Approved:

FRANKLIN D ROOSEVELT
The White House, June 11th, 1942.

[F. R. Doc. 42-5598; Filed, June 16, 1942;
9:38 a. m.]

TITLE 46—SHIPPING

Chapter I—Bureau of Customs

[T.D. 50653]

Subchapter A—Documentation, Entrance and Clearance of Vessels, Etc.

VESSELS REQUISITIONED BY MARITIME COMMISSION OR WAR SHIPPING ADMINISTRATION

WAIVER OF COASTWISE LAWS

JUNE 10, 1942.

An order waiving compliance with the provisions of section 8 of the Act of June 19, 1886, as amended, and section 27 of the Merchant Marine Act, 1920, as amended.

Upon the written recommendation of the Administrator of the War Shipping Administration and pursuant to the authority vested in me by section 501 of the Second War Powers Act, 1942 (Public Law, 507, 77th Congress); I hereby waive compliance with the provisions of section 8 of the Act of June 19, 1886, as amended, and section 27 of the Merchant Marine Act, 1920, as amended, to the extent necessary to permit any or all vessels, the use or the title to which has been acquired by either the United States Maritime Commission or the War Shipping Administration pursuant to section 902 of the Merchant Marine Act of 1936, as amended (46 U.S.C. 1242), to engage in the coastwise or intercoastal trade while under United States or foreign flag, when operated by the War Shipping Administration directly or through agents, or while chartered or leased by either of such agencies to any persons. I deem that such action is necessary in the conduct of the war.

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 42-5689; Filed, June 17, 1942;
11:54 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket Nos. B-189, B-190]

WHEELING VALLEY COAL CORP. AND COVE
HILL COAL CO.

ORDER POSTPONING HEARINGS

In the matter of Wheeling Valley Coal Corporation, Code Member, and in the

matter of Cove Hill Coal Company, a corporation, Code Member.

The above-entitled matters having been heretofore scheduled for hearings on June 18, 1942, at 10 a. m., at a hearing room of the Bituminous Coal Division, at Courtroom No. 4, New Federal Building, Pittsburgh, Pennsylvania; and

The Acting Director deeming it advisable that said hearings should be postponed;

Now, therefore, it is ordered, That the hearings in the above-entitled matters be, and the same hereby are postponed from June 18, 1942, at 10 a. m., to June 29, 1942, at 10 a. m., at a hearing room of the Bituminous Coal Division at Courtroom No. 4, New Federal Building, Pittsburgh, Pennsylvania, before the officers previously designated to preside at said hearings.

Dated: June 15, 1942.

[SEAL]

DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-5683; Filed, June 17, 1942;
11:04 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

SPECIAL CERTIFICATES FOR EMPLOYMENT OF LEARNERS

Notice of issuance of Special Certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Men's Single Pants, Shirts and Allied Garments and Women's Apparel Industries, September 23, 1941 (6 F.R. 4830).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 29, 1941 (6 F.R. 8753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective June 18, 1942. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel

Kurzen Brothers, Co., Inc., 317 Sibley St., St. Paul, Minnesota; Men's top coats and overcoats; 5 learners (T); June 18, 1943.

Provisor Sportswear, 1012 South Broadway Place, Los Angeles, California; Ladies sports apparel; 5 learners (T); June 18, 1943.

Tot Novelty Co., 2402-14 Atlantic Avenue, Brooklyn, New York; Slacks, slack-suits, ski pants, leggings; 5 learners (T); June 18, 1943.

Single Pants, Shirts and Allied Garments and Women's Apparel Industries

American Uniform Co., 400 Stinson Boulevard, Minneapolis, Minnesota; Overalls, pants, coveralls & work shirts; 10 percent (T); June 18, 1943.

Bayly Mfg. Co., 2000 Arapahoe St., Denver, Colorado; Work clothing & overalls, jackets, etc., one-piece working suit (U. S. Army); 5 percent (T); June 18, 1943.

Eckerling Bros., 1219 W. Van Buren St., Chicago, Illinois; Government shirts, trousers & coveralls; 10 percent (T); June 18, 1943.

Empire Mfg. Co., E. Candler St., Winder, Georgia; Overalls & coats, pants; 10 percent (T); June 18, 1943.

S. O. Heisley, 124 Liberty St., Lititz, Pennsylvania; Boys' shirts; 5 learners (T); June 18, 1943.

Olga Knitting Mills, Inc., 35 Fairbanks St., Watertown, New York; Army shirts; 10 percent (T); June 18, 1943.

Richmond Clothing Mfg. Co., 322 Seventh St., Richmond, California; Men's clothing, pants, field jackets, shop coats; 4 learners (T); June 18, 1943.

Root Contractors, 15465 South Western Ave., Gardena, California; Skirts & couottes; 2 learners (T); June 18, 1943.

Hyman Sharfstein, 1255 Bay St., Rosebank, Staten Island, New York; Boys' pants; 3 learners (T); June 18, 1943.

Steelton Garment Co., 709 S. Second St., Steelton, Pennsylvania; Cotton dresses; 10 learners (T); June 18, 1943.

Woodbridge Pajama & Sportswear Co., Green St., Woodbridge, New Jersey; Nightgowns, sportswear; 10 learners (T); June 18, 1943.

Textile

Hickory Dyeing & Winding Co., Inc., 1211 N. Hill St., Hickory, North Carolina; Dyeing & winding acetate rayon yarn; 3 learners (T); June 18, 1943.

Signed at New York, N. Y., this 16th day of June 1942.

MERLE D. VINCENT,
Authorized Representative
of the Administrator.

[F. R. Doc. 42-5684; Filed, June 17, 1942;
11:23 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. G317]

WESTINGHOUSE RADIO STATIONS, INC.

NOTICE OF HEARING

In re application of Westinghouse Radio Stations, Inc. (KYW), dated March 2, 1942, for modification of construction permit; class of service, broadcast; class of station, broadcast; location, Philadelphia, Pennsylvania; operating assignment specified: frequency, 1060 kc.; power, 50 kw. (directional antenna); hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine the cost of completing the construction authorized in construction permit No. B2-P-3145 and the financial outlay, if any, incurred in connection therewith by the applicant, prior to April 27, 1942.

2. To determine when the construction heretofore authorized in construction permit No. B2-P-3145 was actually commenced.

3. To determine what materials and equipment the applicant has on hand or available for the construction authorized in construction permit No. B2-P-3145 and the additional equipment, if any, necessary for the completion thereof.

4. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion of April 27, 1942.

5. To determine whether the present condition of the antenna towers now in use at Station KYW requires the replacement thereof in the immediate or near future.

6. To determine whether in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practices and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

Westinghouse Radio Stations, Inc., Station KYW, Broadcasting Headquarters, 1619 Walnut Street, Philadelphia, Pennsylvania.

Dated at Washington, D. C., June 13, 1942.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-5673; Filed, June 17, 1942;
9:57 a. m.]

INTERSTATE COMMERCE COMMISSION.

[Service Order No. 78]

CANADIAN NATIONAL AND GRAND TRUNK RAILWAYS

EMERGENCY REROUTING OF TRAFFIC

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 15th day of June, A. D. 1942.

It appearing, that, due to the wash-out of a bridge near Lennoxville, Province of Quebec, Dominion of Canada, on the line of Canadian National Railways and Grand Trunk Railway between Montreal, Quebec and Portland, Maine, the Canadian National Railways and Grand Trunk Railway are unable to transport the traffic offered to them between Montreal and Portland so as to properly serve the public; and

It appearing, that an emergency exists which in the opinion of the Commission, requires immediate action:

Therefore, in order to best promote the service in the interest of the public and the commerce of the people, and to prevent shortage of equipment and congestion of traffic:

It is ordered, 1. That, effective immediately and until further order of the Commission, the Canadian National Railways and Grand Trunk Railway be, and they are hereby, directed to forward traffic routed over their lines between Montreal and Portland by routes most available to expedite its movement and prevent congestion, without regard to the routing thereof made by shippers or by carriers from which the traffic is received, or to the ownership of the cars, and that all rules, regulations, and practices of said carriers with respect to car service are hereby suspended and superseded insofar only as conflicting with the directions hereby made.

2. That inasmuch as such disregard of routing is deemed to be due to carrier's disability, the rates applicable to traffic so forwarded by routes other than those designated by shippers, or by carriers from which the traffic is received, shall be the rates which were applicable at date of shipment over the routes so designated.

3. That inasmuch as the necessity for such disregard of routing arises from circumstances beyond control of carriers, car hire payments covering both railroad and privately owned cars shall be

made on the basis of the handling of cars as originally routed.

4. That in executing the directions of the Commission contained in this order the common carriers involved shall proceed without reference to contracts, agreements, or arrangements now existing between them with reference to the divisions of the rates of transportation applicable to said traffic; that such divisions shall be, during the time this order remains in force, voluntarily agreed upon by and between said carriers, and that, upon failure of the carriers to so agree, said divisions shall be hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

It is further ordered, That copies of this order and direction be served upon the Canadian National Railways and Grand Trunk Railway and upon the Car Service Division, Association of American Railroads, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and that notice of this order be given to the general public by depositing a copy of this order in the office of the Secretary of the Commission at Washington, D. C., and by publication in the FEDERAL REGISTER.

By the Commission, division 3.

[SEAL] W. P. BARREL,
Secretary.

[F. R. Doc. 42-5685; Filed, June 17, 1942;
11:40 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Docket No. 3043-3]

ACME BARREL COMPANY

ORDER GRANTING EXCEPTION

Order No. 3 under Revised Price Schedule No. 43, as amended.—Used Steel Drums and Used Steel Pails.

On April 24, 1942, Acme Barrel Company, 2300 West Thirteenth Street, Chicago, Illinois, filed a petition for an exception pursuant to section 1306.206 (b) of Revised Price Schedule No. 43, as amended. Due consideration has been given to the petition, and an opinion in support of this Order No. 3 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,¹ issued by the Office of Price Administration, it is hereby ordered:

(a) Acme Barrel Company, 2300 West Thirteenth Street, Chicago, Illinois, may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, the kinds and sizes of used steel drums set forth in paragraph (b), at prices not in excess of those stated therein. Any person may buy and receive such kinds and sizes of used steel drums at such prices from Acme Barrel Company.

¹ 7 F.R. 1287, 1836, 2132.

² 7 F.R. 971, 3663.

(b) Reconditioned steel drums of 30-gallon capacity, steel blasted and furnished with a new Heresite coating, at a price of ninety cents (\$0.90) per drum in excess of the maximum prices established for such drums in Revised Price Schedule No. 43, as amended.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1306.209 of Revised Price Schedule No. 43, as amended, shall apply to terms used herein.

(f) This Order No. 3 shall become effective June 17, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 16th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5636; Filed, June 16, 1942;
1:57 p. m.]

LEONARD AND BAKER STOVE COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 6 under Revised Price Schedule No. 64¹—Domestic Cooking and Heating Stoves.

On March 31, 1942, Leonard and Baker Stove Company of Taunton, Massachusetts, filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64 for approval of the maximum price of a coal and gas combination stove, designated in the application as Model No. 1906.

Due consideration has been given to the application and an opinion has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:

(a) Leonard and Baker Stove Company may sell, offer to sell, deliver or transfer Model No. 1906 at a price no higher than \$101.08, subject to discounts, allowances and terms no less favorable than those in effect with respect to the maximum price of Model No. 1904, as established under § 1356.1 of the Revised Price Schedule No. 64.

(b) This Order may be revoked or amended by the Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 6 shall become effective on the 17th day of June 1942.

(Pub. Law 421, 77th Cong.)

Issued this 16th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5637; Filed, June 16, 1942;
1:58 p. m.]

¹ 7 F.R. 1829, 1836, 2000, 2132.

[Docket No. 3147-1]

OLIVER IRON AND STEEL CORPORATION

ORDER GRANTING PETITION FOR EXCEPTION

Order No. 1 under Maximum Price Regulation No. 147¹—Ferrous and Non-Ferrous Bolts, Nuts, Screws and Rivets.

On June 11, 1942, Oliver Iron and Steel Corporation, South Tenth and Muriel Streets, Pittsburgh, Pennsylvania, filed a petition for an exception pursuant to § 1368.7 (a) of Maximum Price Regulation No. 147. Due consideration has been given to the petition, and an opinion in support of this Order No. 1 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,² issued by the Office of Price Administration, it is hereby ordered:

(a) Oliver Iron and Steel Corporation, in ascertaining the maximum price it may charge on a shipment from Pittsburgh, Pennsylvania, to Brownson, Nebraska made June 5, 1942, of 30,050 pounds on Contract W-7334-ENG-4, Purchase Order 58 of the War Department, Office of Area Engineer, Sioux Ordnance Depot, may calculate its delivery charges under Appendix C (§ 1368.14) of Maximum Price Regulation No. 147 from Pittsburgh, Pennsylvania as an emergency basing point.

(b) All prayers of the petition not granted are hereby denied.

(c) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(d) The definitions set forth in § 1368.8 of Maximum Price Regulation No. 147 shall apply to the terms used herein.

(e) This Order No. 1 shall become effective June 17, 1942.

Issued this 16th day of June 1942.

(Pub. Law 421, 77th Cong.)

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5635; Filed, June 16, 1942;
1:55 p. m.]

[Suspension Order 1 Under Ration Order 5²—
Emergency Gasoline Rationing Regulations]

A. WALTON KRAMER

SUSPENSION ORDER

A. Walton Kramer, Esso Service Station, Haverford Road and Wynnewood Road, Ardmore, Pennsylvania, is a dealer, engaged in transferring gasoline directly to consumers and subject to the provisions of Ration Order No. 5, The Emergency Gasoline Rationing Regulations (7 F.R. 3438, 3524, 3554, 3577, 3723, 4232), issued by the Office of Price Administration. On June 8, a notice of hearing was served, upon A. Walton Kramer, this notice stating specifically that A. Walton

¹ 7 F.R. 3808.

² 7 F.R. 971.

³ 7 F.R. 3438, 3524, 3554, 3577, 3723, 4232.

Kramer was charged with having violated the provisions of Ration Order No. 5, The Emergency Gasoline Rationing Regulations. A hearing on this charge was held on June 11, in Philadelphia, Pennsylvania, at which time and place there appeared a representative of the New York Regional Office of the Office of Price Administration and A. Walton Kramer. Both parties presented their evidence pertaining to such charge before a duly authorized presiding officer. Such evidence having been duly considered by the Administrator.

It is hereby determined that:

A. Walton Kramer has violated the said Ration Order No. 5, The Emergency Gasoline Rationing Regulations, in that on June 6, 1942 A. Walton Kramer sold and transferred to two consumers 3 gallons each of gasoline without requiring the exhibition of a gasoline rationing card, and without cancelling, or witnessing the cancelling, of any unit of any such rationing card, said transfer of gasoline having been made to the fuel tank of a motor vehicle clearly identifiable as a private, passenger vehicle.

Because of the great scarcity and critical importance of gasoline in the Philadelphia area, violations of Ration Order No. 5, The Emergency Gasoline Rationing Regulations, necessarily result in the diversion of gasoline from essential civilian and military uses into non-essential uses, in a manner contrary to the public interest and detrimental to national defense. It further appears to the Administrator, on the evidence before him, that further violations of these Emergency Gasoline Regulations by A. Walton Kramer are likely unless appropriate administrative action is taken.

It is therefore ordered:

(a) During the period in which this Suspension Order No. 1 shall be in effect,

(1) A. Walton Kramer shall accept no deliveries or transfers of, nor in any manner directly or indirectly receive from any source, any gasoline; and

(2) No person, firm or corporation shall sell, deliver, or in any manner directly or indirectly transfer any gasoline to A. Walton Kramer, regardless of whether such gasoline has been previously purchased and completely paid for.

(b) This Suspension Order No. 1 shall become effective Wednesday, June 17, 1942, and, unless sooner terminated, shall expire 12:01 a. m. July 2, 1942. [Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); WPB Directive No. 1 and Supplementary Directive No. 1H (7 F.R. 562, 3478, 3877)]

Issued this 15th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5643; Filed, June 16, 1942;
1:59 p. m.]

[Suspension Order 2 Under Ration Order 5—
Emergency Gasoline Rationing Regulations]

CHARLES VEITCH

SUSPENSION ORDER

Charles Veitch, Mobilgas-Socony Vacuum Station, Dyckman Street, Inwood Plaza, New York, New York, is a dealer, engaged in transferring gasoline directly to consumers and subject to the provisions of Ration Order No. 5, The Emergency Gasoline Rationing Regulations (7 F.R. 3438, 3524, 3554, 3577, 3723, 4232), issued by the Office of Price Administration. On June 8, a notice of hearing was served, upon Charles Veitch, this notice stating specifically that Charles Veitch was charged with having violating the provisions of Ration Order No. 5, The Emergency Gasoline Rationing Regulations. A hearing on this charge was held on June 11, in New York City, New York, at which time and place there appeared a representative of the New York Regional Office of the Office of Price Administration and Charles Veitch. Both parties presented their evidence pertaining to such charge before a duly authorized presiding officer. Such evidence having been duly considered by the Administrator,

It is hereby determined that:

Charles Veitch has violated the said Ration Order No. 5, the Emergency Gasoline Rationing Regulations, in that on June 6, 1942 Charles Veitch sold and transferred to a consumer 3 gallons of gasoline without requiring the exhibition of a gasoline rationing card, and without cancelling, or witnessing the cancelling, of any unit of any such rationing card, said transfer of gasoline having been made to the fuel tank of a motor vehicle clearly identifiable as a private, passenger vehicle.

Because of the great scarcity and critical importance of gasoline in the New York City area, violations of Ration Order No. 5, The Emergency Gasoline Rationing Regulations, necessarily result in the diversion of gasoline from essential civilian and military uses into non-essential uses, in a manner contrary to the public interest and detrimental to national defense. It further appears to the Administrator, on the evidence before him, that further violations of these Emergency Gasoline Regulations by Charles Veitch are likely unless appropriate administrative action is taken.

It is therefore ordered:

(a) During the period in which this Suspension Order No. 2 shall be in effect,

(1) Charles Veitch shall accept no deliveries or transfers of, nor in any manner directly or indirectly receive from any source, any gasoline; and

(2) No person, firm or corporation shall sell, deliver, or in any manner directly

*7 F.R. 3438, 3524, 3554, 3577, 3723, 4232.

or indirectly transfer any gasoline to Charles Veitch, regardless of whether such gasoline has been previously purchased and completely paid for.

(b) This Suspension Order No. 2 shall become effective Wednesday, June 17, 1942 and, unless sooner terminated, shall expire 12:01 A. M. July 17, 1942. [Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); WPB Directive No. 1 and Supplementary Directive No. 1H (7 F.R. 552, 3478, 3877)]

Issued this 15th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5644; Filed, June 16, 1942;
1:59 p. m.]

[Suspension Order 3 Under Ration Order 5—
Emergency Gasoline Rationing Regulations]

ARTHUR WEIN

SUSPENSION ORDER

Arthur Wein, d/b/a Blue Sunoco Station, 336 Meeker Ave., Brooklyn, New York, is a dealer, engaged in transferring gasoline directly to consumers and subject to the provisions of Ration Order No. 5, The Emergency Gasoline Rationing Regulations (7 F.R. 3438, 3524, 3554, 3577, 3723, 4232), issued by the Office of Price Administration. On June 9, a notice of hearing was served, upon respondent, this notice stating specifically that respondent was charged with having violated the provisions of Ration Order No. 5, The Emergency Gasoline Rationing Regulations. A hearing on this charge was held on June 11, 1942, in New York City, N. Y., at which time and place there appeared a representative of the New York Regional Office of the Office of Price Administration and Arthur Wein. Both parties presented their evidence pertaining to such charge before a duly authorized presiding officer. Such evidence having been duly considered by the Administrator,

It is hereby determined that:

Arthur Wein has violated the said Ration Order No. 5, the Emergency Gasoline Rationing Regulations, in that on June 6, 1942, respondent sold and transferred to a consumer 5 gallons of gasoline without requiring the exhibition of a gasoline rationing card, and without cancelling, or witnessing the cancelling, of any unit of any such rationing card, said transfer of gasoline having been made to the fuel tank of a motor vehicle clearly identifiable as a private, passenger vehicle.

Because of the great scarcity and critical importance of gasoline in the New York area, violations of Ration Order No. 5, The Emergency Gasoline Rationing Regulations, necessarily result

in the diversion of gasoline from essential civilian and military uses into non-essential uses, in a manner contrary to the public interest and detrimental to national defense. It further appears to the Administrator, on the evidence before him, that further violations of these Emergency Gasoline Regulations by respondent are likely unless appropriate administrative action is taken.

It is therefore ordered:

(a) During the period in which this Suspension Order No. 3 shall be in effect:

(1) Arthur Wein shall accept no deliveries or transfers of, nor in any manner directly or indirectly receive from any source, any gasoline;

(2) No person, firm or corporation shall sell, deliver, or in any manner directly or indirectly transfer any gasoline to Arthur Wein, regardless of whether such gasoline has been previously purchased and completely paid for.

(b) This Suspension Order No. 3 shall become effective Wednesday, June 17, 1942 and, unless sooner terminated, shall expire 12:01 A. M. July 2, 1942. [Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 and Supplementary Directive No. 1H (7 F.R. 562, 3478, 3877)]

Issued this 15th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5645; Filed, June 16, 1942;
1:59 p. m.]

[Suspension Order 4 Under Ration Order 5—
Emergency Gasoline Rationing Regulations]

JAMES SCHWARTZ

SUSPENSION ORDER

James Schwartz, d/b/a Jim and Paul Service Station, 3331 Broadway, New York, N. Y., is a dealer, engaged in transferring gasoline directly to consumers and subject to the provisions of Ration Order No. 5, The Emergency Gasoline Rationing Regulations (7 F.R. 3438, 3524, 3554, 3577, 3723, 4232), issued by the Office of Price Administration. On June 8, a notice of hearing was served, upon respondent, this notice stating specifically that respondent was charged with having violated the provisions of Ration Order No. 5, The Emergency Gasoline Rationing Regulations. A hearing on this charge was held on June 11, in New York, New York, at which time and place there appeared a representative of the New York Regional Office of the Office of Price Administration and James Schwartz. Both parties presented their evidence pertaining to such charge before a duly authorized presiding officer. Such evidence having been duly considered by the Administrator.

*7 F.R. 3438, 3524, 3554, 3577, 3723, 4232.

It is hereby determined that:

James Schwartz has violated the said Ration Order No. 5, The Emergency Gasoline Rationing Regulations, in that on June 6, 1942 respondent sold and transferred to a consumer 3 gallons of gasoline without requiring the exhibition of a gasoline rationing card, and without cancelling, or witnessing the cancelling, of any unit of any such rationing card, said transfer of gasoline having been made to the fuel tank of a motor vehicle clearly identifiable as a private, passenger vehicle.

Because of the great scarcity and critical importance of gasoline in the New York area, violations of Ration Order No. 5, The Emergency Gasoline Rationing Regulations, necessarily result in the diversion of gasoline from essential civilian and military uses into non-essential uses, in a manner contrary to the public interest and detrimental to national defense. It further appears to the Administrator, on the evidence before him, that further violations of these Emergency Gasoline Regulations by respondent are likely unless appropriate administrative action is taken.

It is therefore ordered:

(a) During the period in which this Suspension Order No. 4 shall be in effect:

(1) James Schwartz shall accept no deliveries or transfers of, nor in any manner directly or indirectly receive from any source, any gasoline; and

(2) No person, firm or corporation shall sell, deliver, or in any manner directly or indirectly transfer any gasoline to James Schwartz, regardless of whether such gasoline has been previously purchased and completely paid for.

(b) This Suspension Order No. 4 shall become effective Wednesday, June 17, 1942 and, unless sooner terminated, shall expire 12:01 A. M.; July 17, 1942. [Pub. Law 421, 77th Cong.; Sec. 2(a) of Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); WPB Directive No. 1 and Supplementary Directive No. 1H (7 F.R. 562, 3478, 3877)]

Issued this 15th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5646; Filed, June 16, 1942;
1:59 p. m.]

[Suspension Order 5 Under Ration Order 5—
Emergency Gasoline Rationing Regulations]

TOCO GARAGE, INC.

SUSPENSION ORDER

Toco Garage, Inc., 119th Street & Lexington Avenue, New York, New York, is a dealer, engaged in transferring gasoline directly to consumers and subject to the provisions of Ration Order No. 5, The Emergency Gasoline Rationing Regulations (7 F.R. 3438, 3524, 3554, 3577, 3723, 4232), issued by the Office of Price Administration. On June 8, a notice of

hearing was served, upon Toco Garage, Inc., this notice stating specifically that Toco Garage, Inc. was charged with having violated the provisions of Ration Order No. 5, The Emergency Gasoline Rationing Regulations. A hearing on this charge was held on June 11, in New York, New York, at which time and place there appeared a representative of the New York Regional Office of the Office of Price Administration and Toco Garage, Inc. Both parties presented their evidence pertaining to such charge before a duly authorized presiding officer. Such evidence having been duly considered by the Administrator,

It is hereby determined that:

Toco Garage, Inc., has violated the said Ration Order No. 5, the Emergency Gasoline Rationing Regulations, in that on June 6, 1942, Toco Garage, Inc., sold and transferred to a consumer 3 gallons of gasoline without requiring the exhibition of a gasoline rationing card, and without cancelling, or witnessing the cancelling, of any unit of any such rationing card, said transfer of gasoline having been made to the fuel tank of a motor vehicle clearly identifiable as a private, passenger vehicle.

Because of the great scarcity and critical importance of gasoline in the New York City area, violations of Ration Order No. 5, The Emergency Gasoline Rationing Regulations, necessarily result in the diversion of gasoline from essential civilian and military uses into non-essential uses, in a manner contrary to the public interest and detrimental to national defense. It further appears to the Administrator, on the evidence before him, that further violations of these Emergency Gasoline Regulations by Toco Garage, Inc. are likely unless appropriate administrative action is taken.

It is therefore ordered:

(a) During the period in which this Suspension Order No. 5 shall be in effect,

(1) Toco Garage, Inc. shall accept no deliveries or transfers of, nor in any manner directly or indirectly receive from any source, any gasoline; and

(2) No person, firm or corporation shall sell, deliver, or in any manner directly or indirectly transfer any gasoline to Toco Garage, Inc., regardless of whether such gasoline has been previously purchased and completely paid for.

(b) This Suspension Order No. 5 shall become effective Wednesday June 17, 1942 and, unless sooner terminated, shall expire 12:01 A.M. July 2, 1942. [Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 and Supplementary Directive No. 1H (7 F.R. 562, 3478, 3877)]

Issued this 15th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5647; Filed, June 16, 1942;
2:00 p. m.]

[Suspension Order 6 Under Ration Order 5—Emergency Gasoline Rationing Regulations]

HERMAN WOUDA AND CHARLES DELLA BADIA

SUSPENSION ORDER

Herman Wouda and Charles Della Badia, partners, d/b/a Boulevard Service Station, Fairview, Greenberg, New York, is a partnership, engaged in transferring gasoline directly to consumers and subject to the provisions of Ration Order No. 5, The Emergency Gasoline Rationing Regulations (7 F.R. 3438, 3524, 3554, 3577, 3723, 4232); issued by the Office of Price Administration. On June 8, a notice of hearing was served, upon respondents, this notice stating specifically that respondents were charged with having violated the provisions of Ration Order No. 5, The Emergency Gasoline Rationing Regulations. A hearing on this charge was held on June 11, 1942, in New York, N. Y., at which time and place there appeared a representative of the New York Regional Office of the Office of Price Administration and Herman Wouda. Both parties presented their evidence pertaining to such charge before a duly authorized presiding officer. Such evidence having been duly considered by the Administrator,

It is hereby determined that:

Herman Wouda and Charles Della Badia, partners have violated the said Ration Order No. 5, The Emergency Gasoline Rationing Regulations, in that on June 6, 1942 they sold and transferred to a consumer 3 gallons of gasoline without requiring the exhibition of a gasoline rationing card, and without cancelling, or witnessing the cancelling, of any unit of any such rationing card, said transfer of gasoline having been made to the fuel tank of a motor vehicle clearly identifiable as a private, passenger vehicle.

Because of the great scarcity and critical importance of gasoline in the New York area, violations of Ration Order No. 5, The Emergency Gasoline Rationing Regulations, necessarily result in the diversion of gasoline from essential civilian and military uses into non-essential uses, in a manner contrary to the public interest and detrimental to national defense. It further appears to the Administrator, on the evidence before him, that further violations of these Emergency Gasoline Regulations by respondents are likely unless appropriate administrative action is taken.

It is therefore ordered:

(a) During the period in which this Suspension Order No. 6 shall be in effect:

(1) Herman Wouda, and Charles Della Badia, partners shall accept no deliveries or transfers of, nor in any manner directly or indirectly received from any source, any gasoline; and

(2) No person, firm or corporation shall sell, deliver, or in any manner directly or indirectly transfer any gasoline to Herman Wouda, and Charles Della Badia, partners, regardless of whether such gasoline has been previously purchased and completely paid for.

¹ 7 F.R. 3438, 3524, 3554, 3577, 3723, 4232.

(b) This Suspension Order No. 6 shall become effective Wednesday, June 17, 1942, and, unless sooner terminated, shall expire 12:01 A. M., July 17, 1942. [Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); WPB Directive No. 1 and Supplementary Directive No. 1H (7 F.R. 562, 3478, 3877)]

Issued this 15th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5648; Filed, June 16, 1942;
2:00 p. m.]

[Suspension Order 7 Under Ration Order 5—
Emergency Gasoline Rationing Regulations]

C. J. SIMPSON

SUSPENSION ORDER

C. J. Simpson, Jericho Turnpike, Westbury, Nassau County, N. Y., is a Dealer, engaged in transferring gasoline directly to consumers and subject to the provisions of Ration Order No. 5, The Emergency Gasoline Rationing Regulations (7 F.R. 3438, 3524, 3554, 3577, 3723, 4232), issued by the Office of Price Administration. On June 8th, a notice of hearing was served, upon C. J. Simpson, this notice stating specifically that C. J. Simpson was charged with having violated the provisions of Ration Order No. 5, The Emergency Gasoline Rationing Regulations. A hearing on this charge was held on June 11, in New York City, New York, at which time and place there appeared a representative of the New York Regional Office of the Office of Price Administration and C. J. Simpson. Both parties presented their evidence pertaining to such charge before a duly authorized presiding officer. Such evidence having been duly considered by the Administrator,

It is hereby determined that:

C. J. Simpson has violated the said Ration Order No. 5, The Emergency Gasoline Rationing Regulations, in that on June 6th, 1942, C. J. Simpson sold and transferred to a consumer 3 gallons of gasoline without requiring the exhibition of a gasoline rationing card, and without cancelling, or witnessing the cancelling, of any unit of any such rationing card, said transfer of gasoline having been made to the fuel tank of a motor vehicle clearly identifiable as a private, passenger vehicle.

Because of the great scarcity and critical importance of gasoline in the New York area, violations of Ration Order No. 5, The Emergency Gasoline Rationing Regulations, necessarily result in the diversion of gasoline from essential civilian and military uses into non-essential uses, in a manner contrary to the public interest and detrimental to national defense. It further appears to the Administrator, on the evidence before him, that further violations of these Emergency Gasoline Regulations by C. J. Simpson are likely unless appropriate administrative action is taken.

It is therefore ordered:

(a) During the period in which this Suspension Order No. 7 shall be in effect:

(1) C. J. Simpson shall accept no deliveries or transfers of, nor in any manner directly or indirectly receive from any source, any gasoline; and

(2) No person, firm or corporation shall sell, deliver, or in any manner directly or indirectly transfer any gasoline to C. J. Simpson, regardless of whether such gasoline has been previously purchased and completely paid for.

(b) This Suspension Order No. 7 shall become effective Wednesday, June 17, 1942, and, unless sooner terminated, shall expire 12:01 A. M. July 17, 1942. [Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 and Supplementary Directive No. 1H (7 F.R. 562, 3478, 3877)]

Issued this 15th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5649; Filed, June 16, 1942;
2:00 p. m.]

[Suspension Order 8 Under Ration Order 5—
Emergency Gasoline Rationing Regulations]

BLOHM'S SERVICE, INC.

SUSPENSION ORDER

Blohm's Service, Inc., Atlantic and 3rd Avenues, Brooklyn, New York, is a dealer, engaged in transferring gasoline directly to consumers and subject to the provisions of Ration Order No. 5, The Emergency Gasoline Rationing Regulations (7 F.R. 3438, 3524, 3554, 3577, 3723, 4232), issued by the Office of Price Administration. On June 8, a notice of hearing was served, upon respondent, this notice stating specifically that respondent was charged with having violated the provisions of Ration Order No. 5, The Emergency Gasoline Rationing Regulations. A hearing on this charge was held on June 11, 1942, in New York City, New York, at which time and place there appeared a representative of the New York Regional Office of the Office of Price Administration and respondent. Both parties presented their evidence pertaining to such charge before a duly authorized presiding officer. Such evidence having been duly considered by the Administrator,

It is hereby determined that:

Blohm's Service, Inc. has violated the said Ration Order No. 5, The Emergency Gasoline Rationing Regulations, in that on June 6, 1942, it sold and transferred to two different consumers 1 gallon of gasoline to each without requiring the exhibition of a gasoline rationing card, and without cancelling, or witnessing the cancelling, of any unit of any such rationing card, said transfer of gasoline having been made to the fuel tanks of the respective motor vehicles which were clearly identifiable as private, passenger vehicles.

Because of the great scarcity and critical importance of gasoline in the New York area, violations of Ration Order No. 5, The Emergency Gasoline Rationing

Regulations, necessarily result in the diversion of gasoline from essential civilian and military uses into non-essential uses, in a manner contrary to the public interest and detrimental to national defense. It further appears to the Administrator, on the evidence before him, that further violations of these Emergency Gasoline Regulations by respondent are likely unless appropriate administrative action is taken.

It is therefore ordered:

(a) During the period in which this Suspension Order No. 8 shall be in effect:

(1) Blohm's Service, Inc. shall accept no deliveries or transfers of, nor in any manner directly or indirectly receive from any source, any gasoline at its station at Atlantic and 3rd Avenues, Brooklyn; and

(2) No person, firm or corporation shall sell, deliver, or in any manner directly or indirectly transfer any gasoline to Blohm's Service, Inc. at its station at Atlantic and 3rd Avenues, Brooklyn, regardless of whether such gasoline has been previously purchased and completely paid for.

(b) This Suspension Order No. 8 shall become effective Wednesday, June 17, 1942, and, unless sooner terminated, shall expire 12:01 A. M., July 17, 1942. [Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 and Supplementary Directive No. 1H (7 F.R. 562, 3478, 3877)]

Issued this 15th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5650; Filed, June 16, 1942;
2:01 p. m.]

[Suspension Order 9 Under Ration Order 5—
Emergency Gasoline Rationing Regulations]

WILLIAM AND ANDREW MATTURRO
SUSPENSION ORDER

William Matturro and Andrew Matturro, partners, North Street and Railroad Avenue, Rye, N. Y., is a partnership, engaged in transferring gasoline directly to consumers and subject to the provisions of Ration Order No. 5, The Emergency Gasoline Rationing Regulations (7 F.R. 3438, 3524, 3554, 3577, 3723, 4232), issued by the Office of Price Administration. On June 8, a notice of hearing was served, upon respondents, this notice stating specifically that respondents were charged with having violated the provision of Ration Order No. 5, The Emergency Gasoline Rationing Regulations. A hearing on this charge was held on June 11, in New York, New York, at which time and place there appeared a representative of the New York Regional Office of the Office of Price Administration and William Matturro. Both parties presented their evidence pertaining to such charge before a duly authorized presiding officer. Such evidence having been duly considered by the Administrator,

* 7 F.R. 3438, 3524, 3554, 3577, 3723, 4232.

It is hereby determined that:

William Matturro and Andrew Matturro, partners, have violated the said Ration Order No. 5, The Emergency Gasoline Rationing Regulations, in that on June 6, 1942, they sold and transferred to a consumer 3 gallons of gasoline without requiring the exhibition of a gasoline rationing card, and without cancelling, or witnessing the cancelling, of any unit of any such rationing card, said transfer of gasoline having been made to the fuel tank of a motor vehicle clearly identifiable as a private, passenger vehicle.

Because of the great scarcity and critical importance of gasoline in the New York area, violations of Ration Order No. 5, The Emergency Gasoline Rationing Regulations, necessarily result in the diversion of gasoline from essential civilian and military uses into non-essential uses, in a manner contrary to the public interest and detrimental to national defense. It further appears to the Administrator, on the evidence before him that further violations of these Emergency Gasoline Regulations by respondents are likely unless appropriate administrative action is taken.

It is therefore ordered:

(a) During the period in which this Suspension Order No. 9 shall be in effect:

(1) William Matturro and Andrew Matturro, partners shall accept no deliveries or transfers of, nor in any manner directly or indirectly receive from any source, any gasoline; and

(2) No person, firm or corporation shall sell, deliver, or in any manner directly or indirectly transfer any gasoline to William Matturro and Andrew Matturro, partners, regardless of whether such gasoline has been previously purchased and completely paid for.

(b) This Suspension Order No. 9 shall become effective Wednesday June 17, 1942 and, unless sooner terminated, shall expire 12:01 A. M. July 2, 1942. [Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 and Supplementary Directive No. 1H (7 F.R. 562, 3478, 3877)]

Issued this 15th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5651; Filed, June 16, 1942;
2:01 p. m.]

[Suspension Order 10 Under Ration Order 5—
Emergency Gasoline Rationing Regulations]

HAROLD G. TORBASS
SUSPENSION ORDER

Harold G. Torbass, d/b/a Sunoco Station, Marshall Rd. and Larnport Rd., Lansdowne, Pa., is a dealer, engaged in transferring gasoline directly to consumers and subject to the provisions of Ration Order No. 5, The Emergency Gasoline Rationing Regulations (7 F.R.

3438, 3524, 3554, 3577, 3723, 4232), issued by the Office of Price Administration. On June 8, 1942, a notice of hearing was served upon respondent, this notice stating specifically that respondent was charged with having violated the provisions of Ration Order No. 5, The Emergency Gasoline Rationing Regulations. A hearing on this charge was held on June 11, 1942, in Philadelphia, Pennsylvania, at which time and place there appeared a representative of the New York Regional Office of the Office of Price Administration and respondent. Both parties presented their evidence pertaining to such charge before a duly authorized presiding officer. Such evidence having been duly considered by the Administrator,

It is hereby determined that:

Harold G. Torbass has violated the said Ration Order No. 5, The Emergency Gasoline Rationing Regulations, in that on June 6, 1942, he sold and transferred to a consumer 3 gallons of gasoline without requiring the exhibition of a gasoline rationing card, and without cancelling, or witnessing the cancelling, of any unit of any such rationing card, said transfer of gasoline having been made to the fuel tank of a motor vehicle clearly identifiable as a private, passenger vehicle.

Because of the great scarcity and critical importance of gasoline in the Philadelphia area, violations of Ration Order No. 5, The Emergency Gasoline Rationing Regulations, necessarily result in the diversion of gasoline from essential civilian and military uses into non-essential uses, in a manner contrary to the public interest and detrimental to national defense. It further appears to the Administrator, on the evidence before him, that further violations of these Emergency Gasoline Regulations by respondent are likely unless appropriate administrative action is taken.

It is therefore ordered:

(a) During the period in which this Suspension Order No. 10 shall be in effect,

(1) Harold G. Torbass shall accept no deliveries or transfers of, nor in any manner directly or indirectly receive from any source, any gasoline; and

(2) No person, firm or corporation shall sell, deliver, or in any manner directly or indirectly transfer any gasoline to Harold G. Torbass, regardless of whether such gasoline has been previously purchased and completely paid for.

(b) This Suspension Order No. 10 shall become effective Wednesday, June 17, 1942, and, unless sooner terminated, shall expire 12:01 A. M. July 2, 1942. [Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 and Supplementary Directive No. 1H (7 F.R. 562, 3478, 3877)]

Issued this 15th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5652; Filed, June 16, 1942;
2:01 p. m.]

[Suspension Order 11 Under Ration Order 5—Emergency Gasoline Rationing Regulations]

FRANK CAPELLI
SUSPENSION ORDER

Frank Capelli, Lancaster Pike and Chatham Road, Ardmore, Pa., is a dealer, engaged in transferring gasoline directly to consumers and subject to the provisions of Ration Order No. 5, The Emergency Gasoline Rationing Regulations (7 Fed. Reg. 3438, 3524, 3554, 3577, 3723, 4232), issued by the Office of Price Administration. On June 8, a notice of hearing was served, upon respondent, this notice stating specifically that respondent was charged with having violated the provisions of Ration Order No. 5, The Emergency Gasoline Rationing Regulations. A hearing on this charge was held on June 11, 1942, in Philadelphia, Pa., at which time and place there appeared a representative of the New York Regional Office of the Office of Price Administration and respondent. Both parties presented their evidence pertaining to such charge before a duly authorized presiding officer. Such evidence having been duly considered by the Administrator,

It is hereby determined that:

Frank Capelli has violated the said Ration Order No. 5, the Emergency Gasoline Rationing Regulations, in that on June 6, 1942, he sold and transferred to a consumer 3 gallons of gasoline without requiring the exhibition of a gasoline rationing card, and without cancelling, or witnessing the cancelling, of any unit of any such rationing card, said transfer of gasoline having been made to the fuel tank of a motor vehicle clearly identifiable as a private, passenger vehicle.

Because of the great scarcity and critical importance of gasoline in the Philadelphia area, violations of Ration Order No. 5, The Emergency Gasoline Rationing Regulations, necessarily result in the diversion of gasoline from essential civilian and military uses into non-essential uses, in a manner contrary to the public interest and detrimental to national defense. It further appears to the Administrator, on the evidence before him, that further violations of these Emergency Gasoline Regulations by Frank Capelli are likely unless appropriate administrative action is taken.

It is therefore ordered:

(a) During the period in which this Suspension Order No. 11 shall be in effect,

(1) Frank Capelli shall accept no deliveries or transfers of, nor in any manner directly or indirectly receive from any source, any gasoline; and

(2) No person firm or corporation shall sell, deliver, or in any manner directly or indirectly transfer any gasoline to Frank Capelli, regardless of whether such gasoline has been previously purchased and completely paid for.

(b) This Suspension Order No. 11 shall become effective Wednesday, June

17, 1942 and, unless sooner terminated, shall expire 12:01 A. M., July 17, 1942. [Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 and Supplementary Directive No. 1H (7 F.R. 562, 3478, 3877)]

Issued this 15th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5653; Filed, June 16, 1942;
2:01 p. m.]

[Suspension Order 12 Under Ration Order 5—Emergency Gasoline Rationing Regulations]

LOUIS C. BETZ
SUSPENSION ORDER

Louis C. Betz, Manager American Oil Co. Station, Broad and Godfrey Avenue, Philadelphia, Pa., is an Agent of the American Oil Co., engaged in transferring gasoline directly to consumers and subject to the provisions of Ration Order No. 5, The Emergency Gasoline Rationing Regulations (7 F.R. 3438, 3524, 3554, 3577, 3723, 4232), issued by the Office of Price Administration. On June 8, a notice of hearing was duly served, this notice stating specifically that the owner, lessee or manager of said station was charged with having violated the provisions of Ration Order No. 5, The Emergency Gasoline Rationing Regulations. A hearing on this charge was held on June 11, in Philadelphia, Pa., at which time and place there appeared a representative of the New York Regional Office of the Office of Price Administration and Louis C. Betz. Both parties presented their evidence pertaining to such charge before a duly authorized presiding officer. Such evidence having been duly considered by the Administrator,

It is hereby determined that:

Louis C. Betz, Manager, American Oil Co. Station at Broadway and Godfrey Aves., Phila., has violated the said Ration Order No. 5, the Emergency Gasoline Rationing Regulations, in that on June 6, 1942, an attendant at said station sold and transferred to a consumer 3 gallons of gasoline without requiring the exhibition of a gasoline rationing card, and without cancelling, or witnessing the cancelling, of any unit of any such rationing card, said transfer of gasoline having been made to the fuel tank of a motor vehicle clearly identifiable as a private, passenger vehicle.

Because of the great scarcity and critical importance of gasoline in the Philadelphia area, violations of Ration Order No. 5, The Emergency Gasoline Rationing Regulations, necessarily result in the diversion of gasoline from essential civilian and military uses into non-essential uses, in a manner contrary to the public interest and detrimental to national defense. It further appears to the Administrator, on the evidence before him, that further

violations of these Emergency Gasoline Regulations are likely unless appropriate administrative action is taken.

It is therefore ordered:

(a) During the period in which this Suspension Order No. 12 shall be in effect,

(1) Louis C. Betz and the American Oil Co. at its station at Broad and Godfrey Aves., Philadelphia, Pa., shall accept no deliveries or transfers of, nor in any manner directly or indirectly receive from any source, any gasoline; and

(2) No person, firm or corporation shall sell, deliver, or in any manner directly or indirectly transfer any gasoline to Louis C. Betz or to the above named station, regardless of whether such gasoline has been previously purchased and completely paid for.

(b) This Suspension Order No. 12 shall become effective Wednesday June 17, 1942, and, unless sooner terminated, shall expire 12:01 A. M. July 17, 1942. [Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 and Supplementary Directive No. 1H (7 F.R. 562, 3478, 3877)]

Issued this 15th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5654; Filed, June 16, 1942;
2:02 p. m.]

[Suspension Order 13 Under Ration Order 5—Emergency Gasoline Rationing Regulations]

ARTHUR KITSELMAN
SUSPENSION ORDER

Arthur Kitselman, Sinclair Station, Haverford Road and Old Lancaster Road, Bryn Mawr, Pa., is a dealer, engaged in transferring gasoline directly to consumers and subject to the provisions of Ration Order No. 5, The Emergency Gasoline Rationing Regulations (7 Fed. Reg. 3438, 3524, 3554, 3577, 3723, 4232), issued by the Office of Price Administration. On June 8, a notice of hearing was served, upon Arthur Kitselman, this notice stating specifically that Arthur Kitselman was charged with having violated the provisions of Ration Order No. 5, The Emergency Gasoline Rationing Regulations. A hearing on this charge was held on June 11, in Philadelphia, Pa., at which time and place there appeared a representative of the New York Regional Office of the Office of Price Administration and Arthur Kitselman. Both parties presented their evidence pertaining to such charge before a duly authorized presiding officer. Such evidence having been duly considered by the Administrator,

It is hereby determined that:

Arthur Kitselman has violated the said Ration Order No. 5, The Emergency Gasoline Rationing Regulations, in that on June 6, 1942, he sold and transferred to a consumer 4 gallons of gasoline with-

¹ 7 F.R. 3438, 3524, 3554, 3577, 3723, 4232.

out requiring the exhibition of a gasoline rationing card, and without cancelling, or witnessing the cancelling, of any unit of any such rationing card, said transfer of gasoline having been made to the fuel tank of a motor vehicle clearly identifiable as a private, passenger vehicle.

Because of the great scarcity and critical importance of gasoline in the Philadelphia area, violations of Ration Order No. 5, The Emergency Gasoline Rationing Regulations, necessarily result in the diversion of gasoline from essential civilian and military uses into non-essential uses, in a manner contrary to the public interest and detrimental to national defense. It further appears to the Administrator, on the evidence before him, that further violations of these Emergency Gasoline Regulations by Arthur Kitselman are likely unless appropriate administrative action is taken.

It is therefore ordered:

(a) During the period in which this Suspension Order No. 13 shall be in effect,

(1) Arthur Kitselman shall accept no deliveries or transfers of, nor in any manner directly or indirectly receive from any source, any gasoline; and

(2) No person, firm or corporation shall sell, deliver, or in any manner directly or indirectly transfer any gasoline to Arthur Kitselman, regardless of whether such gasoline has been previously purchased and completely paid for.

(b) This Suspension Order No. 13 shall become effective Wednesday, June 17, 1942 and, unless sooner terminated, shall expire 12:01 A. M. July 17, 1942. [Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 and Supplementary Directive No. 1H (7 F.R. 562, 3478, 3877)]

Issued this 15th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5655; Filed, June 16, 1942;
2:02 p. m.]

[Suspension Order 14 Under Ration Order
5—Emergency Gasoline Rationing Regulations]

GLEN JOHNSON
SUSPENSION ORDER

Glen Johnson, N. E. Corner 5th and Godfrey Avenue, Philadelphia, Pa., is a dealer, engaged in transferring gasoline directly to consumers and subject to the provisions of Ration Order No. 5, The Emergency Gasoline Rationing Regulations (7 F.R. 3438, 3524, 3554, 3577, 3723, 4232), issued by the Office of Price Administration. On June 8, a notice of hearing was served upon respondent, this notice stating specifically that respondent was charged with having violated the provisions of Ration Order No. 5, The Emergency Gasoline Rationing Regulations. A hearing on this charge was held on June 12, 1942, in Philadelphia, Pa., at which time and place there

¹⁷ F.R. 3438, 3524, 3554, 3577, 3723, 4232.

appeared a representative of the New York Regional Office of the Office of Price Administration and respondent. Both parties presented their evidence pertaining to such charge before a duly authorized presiding officer. Such evidence having been duly considered by the Administrator,

It is hereby determined that:

Glen Johnson has violated the said Ration Order No. 5, the Emergency Gasoline Rationing Regulations, in that on June 6, 1942, he sold and transferred to a consumer 5¼ gallons of gasoline without requiring the exhibition of a gasoline rationing card, and without cancelling, or witnessing the cancelling, of any unit of any such rationing card, said transfer of gasoline having been made to the fuel tank of a motor vehicle clearly identifiable as a private, passenger vehicle.

Because of the great scarcity and critical importance of gasoline in the Philadelphia area, violations of Ration Order No. 5, The Emergency Gasoline Rationing Regulations, necessarily result in the diversion of gasoline from essential civilian and military uses into non-essential uses, in a manner contrary to the public interest and detrimental to national defense. It further appears to the Administrator, on the evidence before him, that further violations of these Emergency Gasoline Regulations by respondent are likely unless appropriate administrative action is taken.

It is therefore ordered:

(a) During the period in which this Suspension Order No. 14 shall be in effect,

(1) Glen Johnson shall accept no deliveries or transfers of, nor in any manner directly or indirectly receive from any source, any gasoline; and

(2) No person, firm or corporation shall sell, deliver, or in any manner directly or indirectly transfer any gasoline to Glen Johnson, regardless of whether such gasoline has been previously purchased and completely paid for.

(b) This Suspension Order No. 14 shall become effective Wednesday, June 17, 1942, and, unless sooner terminated, shall expire 12:01 A. M. July 17, 1942. [Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 and Supplementary Directive No. 1H (7 F.R. 562, 3478, 3877)]

Issued this 15th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5656; Filed, June 16, 1942;
2:02 p. m.]

[Docket Nos. 3120-14, 3120-16]

KRAY COAL COMPANY AND RUTHBELL COAL
COMPANY

ORDER GRANTING EXCEPTION

Order No. 10 under Maximum Price Regulation No. 120¹—Bituminous coal delivered from mine or preparation plant.

¹⁷ F.R. 3168, 3447, 3901.

On May 14, 1942, Kray Coal Company, Inc., Crellin, Maryland, and Ruthbell Coal Company, Kingwood, West Virginia, filed separate petitions for an amendment of § 1340.214 (b) of Maximum Price Regulation No. 120.¹ However, the facts involved justify treatment of each document as a petition for adjustment or exception under § 1340.207 (a) and they are therefore being treated as such.

An opinion in support of this Order No. 10 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,² issued by the Office of Price Administration; it is hereby ordered:

(a) (1) The Kray Coal Company, Inc., may sell and deliver, and agree, offer, solicit, and attempt to sell and deliver, for all-rail shipment, the bituminous coal specified in paragraph (b) (1) below, at prices not in excess of those stated therein. Any person may buy and receive, and agree, offer, solicit, and attempt to buy and receive such bituminous coal at such prices from the Kray Coal Company, Inc.

(2) The Ruthbell Coal Company may sell and deliver, and agree, offer, solicit, and attempt to sell and deliver, for all-rail shipment, the bituminous coal specified in paragraph (b) (2) below, at prices not in excess of those stated therein. Any person may buy and receive, and agree, offer, solicit, and attempt to buy and receive such bituminous coal at such prices from the Ruthbell Coal Company.

(b) (1) Coal produced at the Kray Coal Company's Ream Mines No. 1 to 8, inclusive, and Stoney Ridge Mine (Mine Index Nos. 149, 151, 165, 208, 214, 1284, 1298, 1299 and 948) may be sold at not more than the following prices per ton, f. o. b. the mine, for all-rail shipment:

Size groups			
6	7	8	9
\$2.35	\$2.25	\$2.25	\$2.10

(b) (2) Coal produced at the Deep Hollow Mine (Mine Index No. 47) of the Ruthbell Coal Company may be sold at not more than the following prices per ton, f. o. b. the mine, for all-rail shipment:

Size groups			
1, 2, 3	4, 5	6	7, 8
\$2.60	\$2.55	\$2.45	\$2.30

(c) This Order No. 10 may be revoked or amended by the Price Administrator at any time.

¹⁷ F.R. 671.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

(e) All prayers of the petitions not granted herein are denied.

(f) This Order No. 10 shall become effective June 17, 1942.

Issued this 16th day of June 1942. (Pub. Law 421, 77th Cong.)

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5664; Filed, June 16, 1942;
4:10 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 58-50, 54-27]

DERBY GAS & ELECTRIC CORPORATION AND OGDEN CORPORATION

ORDER RELEASING JURISDICTION AS TO FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 15th day of June, A. D. 1942.

This Commission having heretofore by Order dated September 4, 1941, reserved jurisdiction relative to the payment of fees and expenses incurred by the applicants in connection with the subject matter of this proceeding; and having, by said Order, directed that said applicants file with this Commission a notification and itemized statement of such fees and expenses;

Such notification and itemized statements having been filed; and

It appearing to the Commission that the charges as originally filed have in certain instances been substantially reduced and, that the fees and expenses now proposed to be paid by applicant are not unreasonable;

It is ordered, That jurisdiction be, and it hereby is, released with respect to said fees and expenses, subject however, to the conditions prescribed by Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 42-5639; Filed, June 16, 1942;
2:39 p. m.]

[File Nos. 70-245, 70-254, 70-266, 70-267,
70-292]

CENTRAL STATES POWER & LIGHT CORPORATION

ORDER RELEASING JURISDICTION AS TO FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 15th day of June, A. D. 1942.

Central States Power & Light Corporation, a public utility company which is also a registered holding company in the Ogden Corporation holding company system, having filed declarations with re-

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spect to the sale of certain of its assets, assets of its subsidiaries and securities of its subsidiaries under section 12 (d) of the Public Utility Holding Company Act of 1935 and having also filed declarations under section 12 (c) of the Act with respect to the utilization of proceeds derived from the sale of such assets and securities to purchase a portion of its First Mortgage and First Lien Gold Bonds, 5½% Series, due 1953; and

The Commission having permitted such declarations to become effective subject, however, to certain conditions including the reservation of jurisdiction with respect to fees and expenses to be paid in connection with the consummation of such transactions; and

Central States Power & Light Corporation having filed applications and amendments thereto for authority to pay such fees and expenses; and

It appearing to the Commission that the charges as originally filed have in certain instances been substantially reduced and that the fees and expenses now proposed to be paid by declarant are not unreasonable;

It is ordered, That jurisdiction be, and it hereby is, released with respect to said fees and expenses, subject however, to the conditions prescribed by Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 42-5640; Filed, June 16, 1942;
2:39 p. m.]

[File No. 70-557]

NATIONAL POWER & LIGHT COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 15th day of June, A. D. 1942.

Notice is hereby given that a declaration or application (or both), has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by National Power & Light Company, a registered holding company, and a subsidiary of Electric Bond and Share Company, likewise a registered holding company;

Notice is further given that any interested person may, not later than June 25, 1942 at 5:30 P. M., E. V. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

As of May 29, 1942, there were outstanding with the public \$330,000 face amount of non-callable Fifty-Year Five Per Cent Collateral Trust Mortgage Gold Bonds, due July 1, 1951, of Lancaster County Railway and Light Company ("Collateral Trust Bonds") assumed by National Power & Light Company ("National").

National states that beginning in 1930, purchases of the Collateral Trust Bonds have been negotiated through the firm of Van Alstyne, Noel & Company, or a member thereof, in the following manner: Such firm has approached holders thereof and has reported to National the price at which such holders expressed a willingness to sell. Upon National's agreement to such price, the Collateral Trust Bonds have been purchased by the firm and resold to National at a price running from three-quarters of a point to one point in excess of the price at which they had been sold by the individual holders.

National now proposes to acquire all or any portion of the \$330,000 principal amount of bonds presently outstanding, without limitation of amount in any year, by continuing the above described method of making such acquisitions. However, National reserves all rights to acquire such bonds directly from the holders. National further proposes to pay Van Alstyne, Noel & Company up to one and one-half points per bond for additional purchases of the Collateral Trust Bonds. The application or declaration states that National has never reimbursed such firm for its expense in connection with the acquisitions and that it does not now propose to do so.

National describes the proposals set forth in its application or declaration as a step toward compliance with this Commission's order of August 23, 1941 under Section 11 (b) (2) of the Act requiring the dissolution of National.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 42-5641; Filed, June 16, 1942;
2:39 p. m.]

[File No. 812-79]

THE ATLANTIC COAST LINE COMPANY

ORDER DENYING APPLICATION, DENYING GENERAL EXEMPTION AND GRANTING PARTIAL EXEMPTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of June, A. D. 1942.

The Atlantic Coast Line Company having filed applications pursuant to section 3 (b) (2) and section 6 (c) of the Investment Company Act of 1940; a public hearing having been held after appropriate notice; the Commission being fully

advised in the premises and having this day issued its findings and opinion herein; on the basis of said findings and opinion, it is hereby

Ordered, That the application herein for an order pursuant to section 3 (b) (2) of said Act be and it hereby is denied;

Further ordered, That the application herein for general exemption of The Atlantic Coast Line Company from said Act pursuant to the provisions of section

6 (c) thereof be and it hereby is denied: *Provided, however*, That The Atlantic Coast Line Company is hereby partially exempted from the requirements of subsections (b) and (d) of section 30 of said Act, to the extent that it need not issue or file the reports and statements required by those subsections more often than annually: *And provided further*, That the Commission reserves jurisdiction to reconsider at any time the partial

exemption herein granted, and to terminate it by further order, after notice and opportunity for hearing, if the Commission finds that such termination is warranted by changed circumstances.

By the Commission.

[SEAL]

ORVAL L. DuBois,
Secretary.

[F. R. Doc. 42-5642; Filed, June 16, 1942;
2:40 p. m.]